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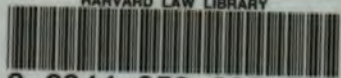
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THE
ELECTORAL LAW
OF
CUBA
OF
APRIL 1, 1908.

HAVANA

RAMBLA AND BOUZA, PRINTERS AND STATIONERS.

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DECREE No. 351.

Havana, April 3rd, 1908.

By virtue of the powers vested in me as Provisional Governor, I hereby

RESOLVE:

That there be printed for official distribution, a pamphlet edition of the Electoral Law contained in Decree No. 331 of April 1st, 1908, to consist of five thousand Spanish and one thousand English copies.

The cost of this publication shall be defrayed from the funds in the Treasury not otherwise appropriated.

CHARLES E. MAGOON,

Provisional Governor.

THE ADVISORY COMMISSION.

Havana, December 30, 1907.

THE HONORABLE PROVISIONAL GOVERNOR.

SIR:

The Advisory Commission has the honor to transmit to you here attached the project of the new electoral law, drafted in obedience to your instructions. The Commission believes it incumbent upon it to submit at the same time the following exposition of the project and of the principal modifications of existing legislation in *para materia* which it provides.

From the beginning the Commission recognized the necessity of doing away entirely with the system of voluntary registration for electoral lists, and of substituting therefor a permanent census or register of electors, subject to revision at stated periods, with the right of appeal to the courts of justice against resolutions relating thereto which the parties in interest might deem improper or unjust. This system obtains in the larger part of the countries ruled by representative government and in not a few of the States of the American Union, and has been tried in Cuba longer and with better results than any other.

As there were no prior authentic and exact lists such as could or would be accepted by all, nor even local census lists notwithstanding the unequivocal provisions of chapter III of the municipal law, the commission recommended to you the taking of a new census of population that should afford the country, under the requisite conditions of reliability and conscientious compilation, the framework indispensable for the permanent census or register of electors. You

acted upon this recommendation, and the new census is now nearing completion to the satisfaction of the entire country, which now entertains the hope of having available an electoral register that can properly be accepted by all parties and all candidates as a substantially accurate exhibit of the electors of the island, and the imperfections of which may readily be remedied if such parties of candidates avail themselves opportunely, and with diligence and energy, of the rights which the project herewith affords them.

The adoption of the system of the permanent census or register of electors implied a fundamental change in the established régime in order that the several parts of the new law should correlate and harmonize. Experience has always, and particularly during the past few years, shown the urgent necessity of radically changing the method of nominating candidates, the constitution and discipline of college electoral boards, the method of voting, the conduct of elections and of the canvass, and the proclamation of candidates who appeared or made themselves appear elected. The protests and complaints against the abuses that under all these heads have heretofore been committed, irrespective of party, abound in the political history of Cuba, and thence may be traced the origin, or at least one of the causes, of all her troublous upheavels and disturbances. The Commission has unanimously agreed upon this point, and has the honor to submit such fundamental changes as, if promulgated, will, it is hoped, so improve the political habits of the people as to prevent, in great part, a repetition of the same or similar evils in the future.

The Constitution of Cuba (art. 39) provides that "rules and procedure shall be provided by statute that shall assure the intervention of the minorities in the formation of the census of electors and in other electoral operations, and their representation in the house of representatives, in provincial councils, and in ayuntamientos"; and in your letter of January 2 last, addressed to this commission, communicating your wishes and instructions for the better fulfillment of the duties devolving upon it, you indicated as one of the matters to which we were to give particular consideration "an electoral law providing the proper measures, either by the cumulative vote or otherwise, to assure minority representation". The Commission after long and exhaustive debate has reached the con-

clusion that the system called *incomplete ticket* or *limited vote* is wholly inadequate properly to protect the minority right, as will be any other system that does not provide against the case of a powerful political organization artfully distributing its available vote between two tickets—apparently distinct but in fact pertaining to the same organization,—in such manner as to make the minority provision nugatory. An experience gained since 1879, when the *limited vote* was first introduced in Cuba, has almost invariably demonstrated that the guaranty which it was intended the system should afford the minority has been, under the several governments which Cuba has had since that date, both with universal and with restricted suffrage, wholly illusory. Against its inefficiency the opposition has always protested, and upon that ground has, for more or less good reason, almost invariably based its withdrawal from the polls or appeal to force.

The commission has chosen a system regulating the right of nomination, combined with proportional representation, which has been tried with notable success in such advanced nations as Belgium and Switzerland, and is now the object of an active parliamentary campaign being waged in France under the auspices of the *electoral reform* party led by MM. Krantz and Charles Benoist. This system, which was first proposed many years ago in the United States, has now the active support of the most reputable authors of electoral treatises throughout the world. The question as to whether minority representation should be accorded by law might be open to discussion; but once that question is decided in the affirmative, as it is in article 39 of the Constitution of Cuba, there can be no doubt but that the system of proportional representation, combined with a careful regulation of the right of nomination, offers the greater measure of security.

The view of the commission has been unanimous on another important point that is the subject of a series of interesting provisions in the project. The greater or lesser fairness in the count or canvass of the vote and the proclamation of candidates elect has frequently given rise to protest, disturbance and parliamentary conflict. In the project herewith the conduct of elections is regulated with all due rigor and precision, profiting by the experience of other coun-

tries and of Cuban political parties, so that freedom, order and secrecy of the ballot are assured, as also the integrity and protection of the college boards, non-interference by the armed forces, the police or the public, and the effective intervention of parties or independent candidates through delegates of their confidence. Protests or challenges are authorized against irregularities or fraud in the conduct of elections or the canvass; and in the case of such challenges it is provided that the proclamation of the candidates who appear elected and delivery of their certificates of election shall be suspended until final decision is rendered thereupon by the civil chamber of the Supreme Court.

In the matter of penalties the project herewith embodies important modifications to the end of assuring the proper punishment of electoral offenses and even of forestalling their commission through an effective preventative that had been made wholly nugatory by amnesties and acts abrogating old penal provisions, to the extent, indeed, that penalties for electoral offenses have come to be the subject of scoff and scorn.

The principal changes in electoral matters which the project introduces being thus synthetically explained, the commission will now undertake to outline the method employed in drafting the said project. It consists of seventeen chapters and two hundred and fifty-two articles, numerous models of registers, ballots, etc. and an appendix containing a form for every important paper that must be presented or filed in order to carry out the provisions of the law and a detailed explanation, with practical examples, of the application of the provisions of proportional representation embodied in the law.

The commission has thought it wise to conserve the division into chapters and articles of the existing law, subdividing the articles into sections only in such cases where greater clearness may result; inasmuch as the commission did not consider it necessary or expedient to divide into books, titles and articles, in the style of codes and other substantive laws, an adjective or procedure law of such peculiar and concrete character as the electoral.

Chapters II, III and IV reproduce almost textually the provisions of the corresponding articles of

the Constitution, or are limited to determining the classification and denomination of the several electoral boards.

Chapter V provides for the constitution and organization of the several electoral boards charged with the compilation, revision and custody of electoral registers, the resolution of protests, and the conduct of elections; detailing minutely everything concerning the constitution, function, deliberations and decisions of such boards. All are composed of *ex-officio* members and political members designated by parties. The Central board is presided over by the chief justice of the Supreme Court, each provincial board by the president of the corresponding Audiencia, and each municipal board by a judge of the locality, or, in default of an available judge, by a person appointed by the president of the Audiencia.

Chapter VI deals with the different kinds of elections, the dates when held, terms of elective offices and vacancies therein, and the method of filling them.

Chapter VII treats of the registration of electors in the permanent census or register of electors and in the provisional registers which are provided for to the end that timely record may be made of all proper exclusions and new inscriptions between elections. Specific provision is made for the manner of conducting registration, the qualifications necessary for inscription, when made, and the legal recourses that lie against errors and unjust action on the part of the municipal electoral boards to whose immediate charge the registers are confided.

Chapter VIII deals with the nomination of candidates, which are classified into two groups, viz: party and independent nominations. Practical and clear requisites govern both classes, their filing and admission are regulated, appeals authorized against the improper denial of admission, and a method is provided for correcting nominations that prove defective or unserviceable.

Chapter IX deals with official ballots and the form thereof for the election of public officials and for submitting questions *ad referendum*, and their distribution. Among other innovations the Commission proposes sample, reserve and extraordinary (emergency) ballots, for the purposes, respectively, of giving proper notice to the public of candidates

nominated and of meeting any emergency that may arise or improvised changes in tickets.

Chapter X is devoted to the conduct of elections. It contains a series of new provisions, in greater part in respect of the formation of colleges, the designation and arrangement of polling places, the method of voting, and the duties and obligations of members and employees of colleges boards, whose functions are given in proper detail.

Chapter XI, regulates the scrutiny or canvass of the vote by college boards, which must be effected on the premises of the college. A time is fixed for the completion thereof, the persons who may remain in the polling place while it is being effected are specified; provision is made for a check of the sum of unused, returned, spoiled and voted ballots with the number received prior to the opening of the polls, for the method of counting and classifying ballots found in the ballot-box, the form and manner of filling tally-sheets, reasons for which ballots may be rejected, and everything relating to poll-books, college registers, minutes and other papers and records concerning the canvass of the vote, both for the election of public officials and the referendum, including the transmittal thereof to the municipal or provincial board sitting as a canvassing board.

The canvass of returns in the subject of chapter XII, the first article of which provides that it devolves upon municipal boards in the case of municipal elections, and upon provincial boards in the case of general elections. Rules are therein provided for governing the conduct of this canvass, no detail being overlooked that would assure correctness and uniformity in the canvass. A time is set for the completion thereof, the persons who may be present are specified, formalities that should attend the opening of sealed packages transmitted by the college boards are provided; as also the manner of making the consolidated return, of deciding ties, and of conducting the proportional canvass—the most important innovation, perhaps, of the whole project—embodied in article 181, divided into five sections, which contain concise rules therefor. This chapter likewise provides for the determination of alternates of candidates elect under the rules of proportional representation, which constitutes another of the important innovations of the project. Rules are also given for the formation

of returns of candidates elect, for the canvass of the referendum vote and the issue to candidates upon request of extracts from the returns showing the vote for the particular office in which the respective candidate is interested; for the declaration of nullity of an election, the decision of exceptions, of appeals against college boards to the canvassing board; the interposition of appeals against any action of a canvassing board to the Provincial or Central board, as the case may be, and, finally, of appeals to the civil chamber of the Supreme Court when this administrative recourse has been availed of.

Chapter XIII contains provisions for the election of the president and vice-president of the Republic. As in the case of the existing electoral law, constitutional precepts in *para materia* are adhered to, and many voids noticeable in this respect in prior statutes are here filled, and the procedure that should be observed is elaborately detailed. Provision is made for the substitution of absent presidential electors by alternates of the same political affiliation; regulations are provided for the organization of the presidential electoral assembly, the examination and approval of credentials of electors; the method of balloting for president and vice-president of the Republic, and the manner of conducting the canvass of ballots and of drawing up the necessary papers and records is specified. These details are merely indicated in the existing law, and consequently it has been thought proper to treat the procedure in full detail in order to assure the greatest measure of uniformity and regularity in its application. Specific provision is likewise made for the transmittal of records and returns to the presidents of the Senate and the House of Representatives, for the purposes of article 58 of the Constitution, and to the president of the Central electoral board for file. The office of presidential elector or alternate is made obligatory, and those who habitually reside outside the capital are allowed reimbursement of travel expenses, in accordance with the existing military order allowing travel expenses to civil functionaries.

Chapter XIV, relating to the election of senators, has amplified and complemented the provisions that are merely outlined in the existing law, in much the same manner as is done in the chapter relating to the election of the president and vice-president. The reason which prompted this course is that senators

are likewise elected by indirect vote, and the same or similar problems are presented.

Chapter XV, relative to offenses and penalties, is entirely new; and the commission is confident, without prejudice to your better judgment, that it will fill one of the most strongly felt needs in matters electoral. One of the greatest difficulties to be encountered in the establishment of a good electoral system is the impunity which frequently attends the violation of electoral statutes and the general belief that crimes against the purity and legality of elections are punishable by no penal sanction that cannot readily be defied or evaded, and that their commission does not greatly impair the character of the perpetrator in public esteem. Statute law can not alone remedy this evil, nor, consequently, purify prevalent political habits; but there is no doubt but that it can greatly contribute to one and the other end, and that, as is now the case in Cuba, when it is deficient for the repression of the class of crimes in question it stimulates to a certain extent the widespread commission of such crimes.

The old law of December 25, 1903 (chapter XXII, re. crimes and misdemeanors) goes no further than to provide that crimes and misdemeanors committed by reason of or upon the occasion of an election and not otherwise penalized, shall be punished in conformity with the Code and other existing penal legislation, adding solely (art. 120 et seq.) that persons who discharge any office established by the said law shall be considered, for penal purposes, public functionaries, and that all election papers and records shall be considered official documents. Finally, it specified certain cases in which election officials commit the crime of coercion; and provided that the penal action arising from electoral offenses is public, and that such offenses prescribe three months after the date of the election.

The severity of the provisions of articles 310 and 311 of the Penal Code proved too great, and by the Act of January 14, 1905, they were so greatly attenuated as to make them almost ineffective, by adding to chapter XXII of the law a new article—123—providing that public officials who commit any of the acts penalized in article 310 of the Code should be punished only with the penalty of *arresto mayor* (six months imprisonment) instead of *cadena tempo-*

ral and fine of from one thousand two hundred and fifty to twelve thousand five hundred *pesetas* provided by the Code; and that private individuals who commit such acts should be punished only with *arresto mayor* in its minimum degree (one month and one day to one month and twenty days), and public functionaries and private individuals who should commit or had committed the crime of perjury in election records or papers or in connection with elections, with *arresto mayor* in its minimum degree. The Act of 1905 provides, finally, that the courts of examination and Audiencias should continue in the cognizance of electoral offenses "notwithstanding the reduction of the penalties", which offenses, were it not for this saving clause, would have come under the jurisdiction of the correctional courts.

Experience had, beyond doubt, shown that the severity with which article 310 of the Code, and even Order 116 of 1900, punish the crime of perjury, was excessive for electoral offenses, originating, as they do in large part, in political passion, and the effect almost invariably of bad political habits, in the few cases in which the aforesaid provisions were applied or their application was attempted. Then, even in these same cases, the exercise of the pardoning power and the grant of amnesties made these penal provisions ineffective even to deter would-be perpetrators of electoral offenses, which was plainly the object of article 119 of the Act of 1903. But the legislators did not choose to leave these provisions even in the text of the law, and the law of 1905 was enacted reducing the penalties provided by article 310 of the Code. On the other hand, the electoral law, in abstaining from defining the offenses and providing the corresponding penalties, leaving everything to the general provisions of the Code, created *ipso facto* impunity from punishment for all those offenses that are peculiar to elections and which are not and can not be provided for in the common Penal Code, and are in all countries the subject of special penal legislation.

The commission concluded, for the reasons above set forth, that upon this important subject everything was to be done anew; and in chapter XV of the project herewith—articles 224 to 246—it believes that it has provided for, in so far as possible, and clearly defined all crimes and misdemeanors which may be

committed in connection with or by reason of elections, fixing in each case moderate penalties but sufficiently severe that the punishment shall not lack effectiveness nor the example be nullified. The penalties provided are fines or imprisonment, or both, carefully graduated in relation with the greater or lesser gravity of the offenses. It is provided that penalties may carry as accessory punishment disqualification for the exercise of the right of suffrage or for the discharge of public office or employment, both for a period of not less than one nor more than three years, and that courts and judges shall, in the cognizance of electoral offenses, apply the general principles of the Penal Code wherein they do not oppose or conflict with the special provisions of this project. The application of the penalties provided in respect of frustrated or attempted offenses is regulated, and subsidiary imprisonment in default of the payment of pecuniary penalties is provided. The cognizance of electoral offenses is declared of the exclusive jurisdiction of the judges of examination or Audiencias, and in the proper case, of the Supreme Court, and it is provided that penal action growing out of electoral offenses is public and prescribes not in three months, as in the old law, but in one year after the commission of the act.

Chapter XVI contains transitory provisions relative to the promulgation of the new law. The initial electoral registers will be compiled by the director of the census and will be delivered to the Central electoral board for transmittal, through the provincial boards, to the respective municipal boards. The electoral boards must, for this purpose, be constituted somewhat in advance, and as it is not possible to do so under the procedure provided by the project until such time as a general election is held the results of which shall determine what political parties are entitled to designate political members of such boards, the commission proposes that you make the required designations. For the same reason the nomination of candidates for the first elections must be governed by the provisions of the project relating to independent tickets.

The project is followed, as above indicated, by a set of fifteen forms for all acts, certifications, etc., etc., necessary for the proper fulfillment of the new law. The last two forms give practical examples, ela-

borately illustrated, of the proportional canvass and its results.

Very respectfully, (signed): E. H. CROWDER.—
 RAFAEL MONTORO.—FELIPE G. SARRAÍN.—JUAN
 GUALBERTO GÓMEZ.—BLANTON WINSHIP.—MIGUEL F.
 VIONDI.—J. CARRERA JÚSTIZ.—M. M. CORONADO.—MA-
 RIO G. KOHLY.—O. SCHOENRICH.—ERASMUS REGÜEI-
 FEROS.—ALFREDO ZAYAS.

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THE ELECTORAL LAW

DECREE No. 331.

Whereas: The Advisory Commission, instituted by Decree No. 284, of December 24, 1906, in compliance with the duty imposed upon it by paragraph first of Article 1 of said Decree, prepared a draft of the Electoral Law, which, by Order of January 21, 1908, was published with its exposition of motives and minority reports, and distributed to all offices, corporations, political parties, newspapers, and private parties, requesting the same, fixing a period of thirty days within which the Secretary of the Commission should receive all criticisms and objections to the said draft, for submission to and consideration by the Commission; and,

Whereas: The criticisms elicited by this advance publication have been duly considered by the Advisory Commission which has formulated and presented to me its revised draft of said law,

By virtue of the authority vested in me as Provisional Governor,

I HEREBY DECREE:

the following:

ELECTORAL LAW

CHAPTER I.

TITLE.

Article 1.—This law shall be known as the Electoral Law.

TITLE.

CHAPTER II.

THE ELECTORAL RIGHT.

Article 2.—All male Cubans over twenty-one years of age, registered in the Electoral Register, except

ELECTORS.

- (1) Those confined in asylums;
- (2) Those mentally incapacitated, such incapacity having been judicially declared;
- (3) Those judicially disqualified by reason of crime; and,
- (4) Members of the land and naval forces in active service, members of the Rural Guard being included in this exception,

Have the right to vote for candidates for the office of presidential and vice-presidential elector, senatorial elector, representative, delegate to a constitutional convention, provincial governor, provincial councilman, alcalde, municipal councilman, and any other office made elective by law.

Registered electors may likewise vote upon any question which, in accordance with article 7, may be submitted to the electorate.

Article 3.—The possession of the electoral right shall be determined in accordance with the provisions of this law, and shall be evidenced by and may be exercised only upon inscription in the Electoral Register.

ELECTORS, HOW ASCERTAINED.

CHAPTER III.

ELECTIONS.

Article 4.—Elections for the purpose of choosing presidential and vice-presidential electors, senatorial electors, representatives, delegates to a constitutional

GENERAL ELECTIONS.

convention, provincial governors and provincial councilmen, shall be held on the first day of December next preceding the expiration of the legal terms of the respective offices, and shall be known as "General Elections."

**MUNICIPAL
ELECTIONS.**

Article 5.—Elections for the purpose of choosing elective municipal officers shall be held on the first day of July next preceding the expiration of the legal terms of the respective offices, and shall be known as "Municipal Elections."

**SPECIAL
ELECTIONS.**

Article 6.—Special elections may be held at such times and for such purposes as may be determined by law.

**REFEREN-
DUM.**

Article 7.—Matters of local interest the resolution of which requires a referendum shall be submitted to the registered electors of the locality at the same time that municipal or general elections are held, unless the Ayuntamiento, by vote of two-thirds of the members it should have in accordance with the Municipal Law, resolve to submit the same upon a different date; but in such case, the date shall in no event be less than ninety days before nor less than ninety days after municipal or general elections.

Similar matters of provincial or national import shall be submitted to the electorate at the same time that general elections are held.

**ELECTION
DAY A HOLI-
DAY.**

Article 8.—The day set apart for holding elections shall be a holiday in the political division within which such elections are held.

**SCHOOL
ELECTIONS.**

Article 9.—Elections for the purpose of filling offices pertaining to public instruction shall not be governed by the provisions of this law.

CHAPTER IV.

CONDITIONS OF ELIGIBILITY FOR PUBLIC OFFICE.

**ELIGIBILITY
FOR PUBLIC
OFFICE.**

Article 10.—Every Cuban who is able to read and write, who is in the full enjoyment of all civil and political rights, and who possesses, in each case, the qualifications specified below, is eligible:

(1) For President and vice-president of the Republic—to have attained the age of forty years, and

to be a Cuban by birth or naturalization. In the latter case it shall be an indispensable requisite that he shall have served Cuba under arms, at least ten years, in her wars for independence.

(2) For senator or delegate to a constitutional convention—to have attained the age of thirty-five years, and to be a Cuban by birth.

(3) For representative—to have attained the age of twenty-five years, and to be a Cuban by birth or naturalization. In the latter case it shall be required that he shall have resided in the Republic for at least eight years subsequent to the date of naturalization.

(4) For presidential and vice-presidential elector—to have the same qualifications required of a representative, and to be a resident of some municipality of the province from which he is elected.

(5) For senatorial elector—to be of age and to be a resident of some municipality of the province electing him. One-half of the senatorial electors shall, in addition to possessing the qualifications already specified, be larger taxpayers of some municipality of the province, and have resided in such province at least one year preceding the election.

(6) For provincial governor or provincial councilman—to possess the qualifications prescribed by the Provincial Law.

(7) For municipal alcalde or municipal councilman—to possess the qualifications prescribed by the Municipal Law.

Article 11.—For the purposes of this law the electors comprised in a number of residents of some municipality thereof equal to ten-fold the number of councilmen of the respective ayuntamientos, and appearing with the highest quotas of direct taxation on the collection lists of the ayuntamiento, shall be larger taxpayers in a province.

**LARGER
TAX-PAYERS.**

Within the five days following the proclamation issued by the corresponding electoral board, for elections wherein senatorial electors are to be chosen, until the day following that on which the election is held, the ayuntamiento shall affix upon the exterior of the building occupied by it, and in the manner provided by section V, article 44, of this law, the list of larger taxpayers.

Said list, each sheet of which shall be authenticat-

ed by the alcalde and secretary of the ayuntamiento and bear the seal of the latter, shall set forth the item or items whereupon each one of the persons therein comprised pays taxes, and the amount or amounts paid by him to the ayuntamiento.

During the ten days following the period of five fixed by the preceding paragraph, any elector may make application for inclusion or exclusion from the said list, attaching to such application any documents that he may deem advisable.

Three days after the expiration of the aforesaid period the ayuntamiento shall meet with any number of members as a quorum, and decide as it deems proper. The minutes shall reveal the resolutions taken, the grounds therefor, and the affirmative and negative votes. On the same day the resolutions are adopted, a copy of the minutes, authenticated by the alcalde and by the secretary of the ayuntamiento and bearing the seal of the latter, shall be posted where the list is affixed.

Within the three days following the publication of the resolutions, the tax-payers referred to therein, or those who shall have filed applications, may appeal therefrom through the municipal alcalde to the Civil Chamber of the Audiencia of the respective province. On the day following the expiration of the period for appeal, the alcalde shall transmit the interposed appeals, and the resolutions and all documents relating thereto, to the aforesaid Chamber.

Regarding the transmission of said documents, as also the procedure to be followed and periods to be observed in the appeals, the provisions of articles 191 and 193 of this law shall be applicable.

Upon the expiration of the period to interpose appeals, or when those interposed shall have been finally resolved, the municipal alcalde, in cognizance of resolutions of the Ayuntamiento against which no appeal has been taken and of decisions of the proper Audiencia, shall order that the corresponding corrections shall be made at once in the list.

When such list shall have been duly amended, four copies shall be made; one for posting on the outside of the building, another for the files of the ayuntamiento, and the two remaining shall be forwarded, one to the Central Electoral Board and the other to the proper Provincial Electoral Board.

Article 12.—The filling of any elective public office is incompatible with the filling of any other remunerated from State, provincial or municipal funds, except that of professor of an official institution of learning obtained by competitive examination before the election.

INCOMPATIBILITIES.

No person coming within the cases of incompatibility established in the preceding paragraph shall, even though elected to a public office, be admitted to the discharge of the duties thereof, nor consequently, receive the pay assigned thereto, until he shall have separated himself from the incompatible office or employment.

Article 13.—The following, even though legally elected, are incapacitated to assume the duties pertaining to an elective public office, or to receive the corresponding pay or emoluments, or to continue in the discharge of such duties or in the receipt of such pay or emoluments:

DISABILITIES.

(1) Persons comprised within any of the exceptions prescribed in article 2 of this law;

(2) Persons who are without the legal qualifications required for the office in question by article 10 of this law;

(3) Administrators, managers, secretaries, or directors of any corporation, association or company, or private persons, owning or executing a contract for services or supplies of any kind, paid from funds of the political or administrative entity to which the office pertains;

(4) Persons having pending any judicial or administrative claim growing out of the contracts mentioned in the preceding paragraph;

(5) Partners of persons coming within the third and fourth paragraphs of this article; and,

(6) Persons indebted to the public funds by reason of bonds given for themselves or for others.

CHAPTER V.

ELECTORAL BOARDS.

Article 14.—The Electoral Law shall be administered by electoral boards, whose composition and functions are hereinafter set forth; without prejudice, however, to the jurisdiction of the courts of justice in the cognizance of electoral matters.

ADMINISTRATION.

**ELECTORAL
BOARDS CLAS-
SIFIED.**

Article 15.—Electoral boards shall be of the following kinds and denominations: (1) One Central Electoral Board; (2) Provincial Electoral Boards, one for each province; (3) Municipal Electoral Boards, one for each municipality, and (4) College Electoral Boards, one for each electoral college.

Boards of the first three classes shall be permanent, although the composition thereof may vary. Boards of the fourth class shall be temporary, being newly appointed for each election and ceasing in the exercise of their functions as soon as their duties pertaining to such election shall have been performed.

**LOCATION
JURISDIC-
TION.**

Article 16.—The Central Electoral Board shall be located in Havana, where it shall have a permanent office and hold its sessions. Its jurisdiction shall extend throughout the Republic.

Each Provincial Electoral Board shall be located in the capital of the province to which it pertains, where it shall have a permanent office and hold its sessions, its jurisdiction extending throughout such province.

Each Municipal Electoral Board shall be located in the seat of the municipality to which it pertains, where it shall have a permanent office and hold its sessions, its jurisdiction being limited to such municipality.

**CENTRAL
ELECTORAL
BOARD.**

Article 17.—The Central Electoral Board shall consist of:

(1) The chief justice of the Supreme Court of Justice, or the person legally substituting him, who shall be president of the Board;

(2) The senior associate justice of the Audiencia of Havana on duty;

(3) A titular professor of the faculty of law of the University of Havana, to be designated by said faculty; and,

(4) Two political members designated respectively in the manner hereinafter provided, by each of the two political parties which at the last preceding general election shall have cast the largest number of votes for representatives.

Each political member shall have been, prior to his designation as such, a senator, representative, associate justice, the dean or president of the College of Lawyers of Havana, the rector or a professor of the University of Havana, or a lawyer of more than five years practice.

Article 18.—Each Provincial Electoral Board shall consist of:

**PROVINCIAL
ELECTORAL
BOARDS.**

(1) The president of the Audiencia of the province, or the person legally substituting him, who shall be president of the Board;

(2) A titular professor of the Institute of Secondary Instruction of the province, to be designated by the faculty of the Institute;

(3) The senior judge of first instance or of examination on duty in the capital of the province; and,

(4) Two political members designated, respectively, in the manner hereinafter provided, by each of the two political parties which at the last preceding general election shall have polled the largest number of votes for representatives within the province.

These two members shall be electors of the province in question, and shall possess the legal qualifications required of representatives.

Article 19.—Each Municipal Electoral Board shall consist of:

**MUNICIPAL
ELECTORAL
BOARDS.**

(1) The senior judge of first instance or of examination on duty in the municipality, who shall be president of the board; provided, however, that he is not required, under the provisions of the last preceding article, to serve on the corresponding Provincial Electoral Board, in which case the provisions of the first paragraph of article 28 shall be observed; and,

(2) Two political members, who shall be appointed, respectively, by each of the two political members of the corresponding Provincial Electoral Board.

When in any municipality there is no judge of first instance or of examination, or, there being but one such, he is required, under the provisions of the last preceding article, to sit on the corresponding Provincial Electoral Board, the president of the proper Audiencia shall appoint a president of the Municipal Electoral Board, to be chosen from among the judges or ex-judges of the municipal court, or their substitutes, who have no political affiliation; and, in the absence of such, from among the persons of highest standing and consideration in the municipality, likewise without political affiliation. The person so appointed, as also the two political members specified in numbered paragraph 2, *supra*, shall be electors of the municipality in question and shall have attained the age of twenty-five years.

INCOMPATIBILITIES.

Article 20.—Aside from the *ex-officio* presidents and members of permanent electoral boards, who shall be governed by the provisions of this chapter concerning them, no person holding any public office shall be appointed or designated to fill any office on or pertaining to either a permanent electoral board or a college electoral board.

In no case shall a person who is a candidate for a public office to be filled at the next election belong to such electoral boards.

Any person who is filling an office on or pertaining to any such electoral board, and who accepts a position of public employment or is nominated as a candidate for public office, shall at once cease in the discharge of the former. The vacancy thus created shall be filled in the same manner as the original appointment or designation was made.

DISABILITIES.

Article 21.—Every person who is appointed or designated to serve as president, member or secretary of a permanent or college electoral board must be an elector and in the full enjoyment of political and civil rights.

QUO WARRANTO.

Article 22.—The appointment or designation of any individual to the office of president or substitute president of a Municipal Electoral Board, or to the office of member, substitute member or secretary of any permanent electoral board, may be called into question before the Central Electoral Board by means of a protest filed with the secretary of said board.

Such protest may be filed at any time except during the electoral period; but a member who has been inducted into office upon a permanent electoral board during said period may be challenged within the five days following such induction into office.

The facts upon which the challenge is based shall be clearly and concretely stated. The rules laid down in article 190 of this law shall apply, except wherein the latter authorizes appeal to the courts of justice, to *quo warranto* proceedings authorized by this article.

The Central Electoral Board shall fix a date for the hearing, which shall take place within ten days after the filing of the protest; and shall take care that the persons against whom the proceedings are directed shall have notice thereof in time to appear for the hearing, if they elect. Within twenty days after the

filing of the protest, a decision, either dismissing the challenge or declaring the office in question vacant, from which no appeal shall lie, shall be rendered. A vacancy thus arising shall be filled in accordance with the provisions of this law.

When the matter seems urgent and sufficiently serious grounds appear in the protest, the Central Electoral Board may at once proceed to suspend from office the person informed against, in which case the temporary vacancy, if no substitute be available, shall be filled *ad interim* in conformity with the same legal precepts as if the vacancy were permanent.

When for any reason the qualification of a member of the Central Electoral Board designated by a political party, or the legality of his representation, or the rights lying in the political party or organization which may have nominated him for appointment, are brought into question, the protest shall be decided by the *ex-officio* members of the said Board, and no political member thereof may take part in the discussion and the ballot upon any such question, even though said political member may have been duly admitted as a part of the Board. When the protest or challenge is directed against the legal capacity of the aforesaid *ex-officio* members, the case shall be resolved by a special board consisting of the president of the Central Electoral Board and the respective presiding justices of the civil and criminal chambers of the Supreme Court.

Proceedings authorized by this article may not be brought against the president of the Central Electoral Board nor against the president of any Provincial Electoral Board.

Article 23.—The term of office of professors of the University or Institutes of Secondary Instruction who form part of the Central Electoral Board or of Provincial Electoral Boards, of presidents of Municipal Electoral Boards appointed under authority of article 19, last paragraph, of this law and of political members of permanent electoral boards, shall expire on the first business day of February next following the day upon which each such person shall have been inducted into office, or as soon after such date as their respective successors shall have been appointed or designated.

Appointments or designations for the new term, shall be made and certified to the proper official be-

**TERM OF
OFFICE.**

tween the first and twentieth day of January of each year. Political members of Municipal Electoral Boards are excepted. Designations of the latter shall be made by political members of Provincial Electoral Boards within three days after their own designations shall have been filled. Designations or appointments to fill vacancies occurring during the annual term, shall be made and certified to the proper official within three days after notice of the vacancies shall have been brought to the attention of the authority or corporation upon which the designation or appointment devolves.

The provisions of this article are likewise applicable to substitute presidents of Municipal Electoral Boards and to substitute members of all permanent electoral boards.

**SUCCESSIVE
TERMS.**

Article 24.—Any person appointed or designated as president of a Municipal Electoral Board or as a member of any permanent electoral board, may be appointed or designated to succeed himself, if he retains the legal qualifications required for the office in question. The same rule shall apply to substitutes.

**APPOINTMENT OF
PRESIDENTS
OF MUNICIPAL
BOARDS.**

Article 25.—The president of the Audiencia shall certify the appointment of a president of a Municipal Electoral Board to the secretary of such board, and also to the secretary of the corresponding Provincial Electoral Board. Should any such office become vacant, a new appointment shall at once be made for the unexpired term.

**DESIGNATION OF PRO-
FESSORS.**

Article 26.—The designation of professors of the Faculty of Law or of professors of the Institutes shall be made in special session expressly called by the dean or director in the proper case, and with the presence of the majority of the professors who at the time compose the respective faculty.

The said designations shall be certified to the presidents of the electoral boards to which they are made by the corresponding dean or director.

In case any membership to be filled by a professor becomes vacant during the year, the proper faculty shall at once make a new designation for the unexpired term.

**DESIGNATION OF POLI-
TICAL MEM-
BERS.**

Article 27.—Designations made by political parties of members of the Central and of Provincial Electoral Boards shall be certified to the presidents of the

respective boards, and shall be in accord with the by-laws of such political parties. For the Central Electoral Board the certification shall be made by the president of the national or central assembly, convention or committee, and for the Provincial Electoral Boards by the president of the corresponding assembly, convention or committee of the party to which the designation pertains.

Designations of political members of Municipal Electoral Boards, which shall be made by political members of the respective Provincial Electoral Boards, shall be certified to the presidents of the latter, who shall in turn forward the certificates, with the proper communication in each case, to the respective presidents of the Municipal Electoral Boards within the province.

Should any office of political member in a permanent electoral board become vacant during the annual term, the new designation shall at once be made by the proper authority in each case for the remainder of the term.

Article 28.—In municipalities having a judge of first instance or of examination junior to the *ex-officio* president of the Municipal Electoral Board, he shall be the latter's substitute in said office. When there is more than one judge so qualified, the one following the president in seniority shall be his substitute.

SUBSTITUTES.

For each *ex-officio* president of a Municipal Electoral Board, except in municipalities having two or more judges of first instance and examination in addition to the one that forms part of the corresponding Provincial Electoral Board, when the provisions of the first paragraph of this article shall govern, the president of the Audiencia of the respective province shall appoint a substitute possessing the legal qualifications required in the principal.

Whenever a president of a Municipal Electoral Board is appointed, or whenever a professor or a political representative is designated for membership on a permanent electoral board, the respective substitute shall likewise be appointed or designated. Each substitute shall possess the legal qualifications required of his principal, and shall be appointed or designated by the same entity and in the same manner as said principal.

Should the office of substitute president or substitute member of a permanent electoral board become vacant during the year, a new appointment or designation shall at once be made for the unexpired term.

Substitutes shall temporarily discharge the duties of their principals, whenever such principals are absent or unable to perform the duties imposed upon them by this law. Whenever the office of the principal becomes vacant for the remainder of the term, the corresponding substitute shall serve in his stead until a new appointment or designation shall have been made.

**FAILURE TO
DESIGNATE
POLITICAL
MEMBERS.**

Article 29.—In case one or both of the political parties entitled to designate members of the Central or Provincial Electoral Boards shall fail to do so, said boards shall sit without the undesignated members. Political parties failing to exercise the right of designation may, however, at any later time, make such designations, and the persons so designated shall enter immediately upon their duties.

In case either or both of the political members of any Municipal Electoral Board shall not have been designated for the new term on or before January the twenty-fourth of any year, the proper Provincial Electoral Board shall complete the membership of such Municipal Electoral Board by appointing the requisite number of members and a substitute for each. The same action shall be taken in case of a permanent vacancy in the political membership of a Municipal Electoral Board during the year, if the designation prescribed by the law to fill such vacancy is not duly filed. Members and substitutes thus appointed shall have the legal qualifications required in those regularly designated, and each shall be of different political affiliation. When but one is to be appointed under this method, he shall be of a political affiliation opposed to that of the other political member of the same board.

Political members of Provincial Electoral Boards who fail to exercise, within the period specified, the right of designation herein accorded them may, however, at any time, make the required designations; and upon the receipt of such designations by the pro-

per Municipal Electoral Board, the persons so designated shall enter upon their duties, and the *ad interim* appointees of the Provincial Electoral Board shall cease to serve.

Article 30.—Each certificate of appointment or designation to the presidency of a Municipal Electoral Board or to membership in any permanent Electoral Board, whether as principal or as substitute, shall be signed by the individual charged with the certification. Such certificate shall specify the legal qualifications the possession of which make the person appointed or designated eligible for the position in question. In the case of a principal the certificate shall show the name of the corresponding substitute, and the certificate of the latter the name of the former. At the same time that a certificate is issued, the person charged with issuing the same shall give notice thereof to the person appointed or designated. (*Form No. 1*).

**FORM AND
NOTICE OF
CERTIFICA-
TION.**

Article 31.—The Central Electoral Board and the Provincial Electoral Boards may legally sit in session only with the attendance of three or more of the five members, or their substitutes; and provided that not less than two of the three *ex-officio* members are present. Municipal Electoral Boards shall transact business only when all three members are present, in person or by lawful substitute.

QUORUM.

Whenever, by reason of the absence of one or both political members and their respective substitutes, a Municipal Electoral Board is unable to convene or to deal with pending business, the president shall immediately and by the most expeditious means so report to the president of the corresponding Provincial Electoral Board. The latter shall without delay, and in conformity with the provisions of the second paragraph of article 29 of this law, appoint the member or members, and substitute for each, requisite for the performance of the functions of such Municipal Electoral Board. Such appointees may be notified by telegraph. Said appointees shall, to the exclusion of their immediate predecessors, serve for the remainder of the annual term, or until the political members of the Provincial Electoral Board shall have made, in regular form, the proper designations for the remainder of said term.

**ELECTION
PROCLAMA-
TIONS AND
ELECTORAL
PERIOD.**

Article 32.—Every election shall be preceded by the corresponding proclamation.

The electoral period shall begin on the date of the election proclamation, and shall terminate when the candidates elect are proclaimed according to article 194 of this law.

**PROCLAMA-
TION BY GEN-
ERAL BOARD.**

Section I.—Every election at which presidential and vice-presidential electors, senatorial electors, representatives, or delegates to a constitutional convention are to be chosen, shall be proclaimed by the Central Electoral Board. Said board shall likewise convoke the electorate whenever, in accordance with provisions of law, a question of national interest is to be submitted *ad referendum*.

**PROCLAMA-
TION BY
PROVINCIAL
BOARDS.**

Section II.—Every election at which a provincial governor or provincial councilmen are to be chosen, or at which a question that concerns the respective province alone is to be submitted *ad referendum*, shall be proclaimed by the Provincial Electoral Board of the province in question. Said board shall also officially republish such parts of election proclamations issued by the Central Electoral Board as shall have reference to the respective province.

**PROCLAMA-
TION BY
MUNICIPAL
BOARDS.**

Section III.—Every election at which an alcalde or municipal councilmen are to be chosen, or at which a question purely municipal is to be submitted *ad referendum*, shall be proclaimed by the corresponding Municipal Electoral Board. Each Municipal Electoral Board shall also officially republish such part of the election proclamations issued by the Provincial Electoral Board as shall have reference to its municipality.

TIME.

Section IV.—Election proclamations by the Central Electoral Board shall be issued ninety days before the date for the election; republications thereof and original proclamations by Provincial Electoral Boards shall be issued seventy-five days before the date of the election; and republications and original proclamations by Municipal Electoral Boards shall be issued sixty days before the election in question.

The precepts of the foregoing paragraph are subject to the provisions of articles 69, 187 and 223 of this law.

Section V.—Electoral boards shall publish their proclamations either in the *Official Gazette* or *Bulletin* of the province, if there be such, or in such newspaper of general circulation as the board may deem advisable, published in the capital or seat of the corresponding district or political division. The Central and the Provincial Electoral Boards shall also with proper diligence mail an officially authenticated copy of each proclamation to the respective subordinate boards that may, under the foregoing sections of this article, be charged with republishing the whole or any part thereof. Proclamations shall be inserted in but one issue of the *Gazette*, *Bulletin* or newspaper selected. In municipalities wherein no newspaper is published, a copy of the proclamation shall be posted on the bulletin board provided for in article 44 of this law, and one copy at the *alcaldía* of each *barrio*.

The subordinate boards shall send to the respective superior boards certified copies of the election proclamations they issue in accordance with sections II and III of this article.

Section VI.—Each proclamation shall specify the date of the election or *referendum* vote, the offices to be filled and the legal terms thereof, and the political division the electors of which are to take part in the election or vote in question. In case of a *referendum* it shall state clearly and briefly the substance of the question to be submitted.

Article 33.—The offices of the Central Electoral Board shall be kept open to the public on such days as the Board itself may deem proper for the performance of the duties devolving upon it.

Article 34.—The offices of Provincial Electoral Boards shall be open to the public:

(1) For a period beginning sixty days before and ending thirty days after any general election to be held in the province;

(2) For a period of thirty days preceding and including the date of any municipal election to be held in the province;

(3) On two days in each month not comprised within the foregoing periods, which the Board shall fix by resolution; and,

(4) On such other days as may be necessary to

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TION.**

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**OFFICE
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BOARDS.**

permit of the timely filing of any papers within the specific periods fixed by this law.

**OFFICE
DAYS FOR
MUNICIPAL
BOARDS.**

Article 35.—The offices of Municipal Electoral Boards shall be open to the public:

(1) For a period beginning sixty days before and ending thirty days after any general or municipal election to be held in the municipality;

(2) On two days in each month not comprised within the foregoing period, which the Board may fix by special resolution; and,

(3) On such other days as may be necessary to permit of the timely filing of any papers within the specific periods fixed by this law.

**QUARTERLY
MEETINGS.**

Article 36.—On the first business day of the months of January, April, July and October, the Central and each Provincial Electoral Board shall meet for the transaction of business that concerns them.

**OFFICES
AND OFFICE
EQUIPMENT.**

Article 37.—A suitable office and fixtures shall be furnished to the Central, Provincial and Municipal Electoral Boards, respectively, by the Department of Government, the Provincial Councils, and the Ayuntamientos.

SUPPLIES.

Article 38.—The Central Electoral Board shall, upon requisitions made by Provincial and Municipal Electoral Boards, furnish the following supplies directly to the said boards: blank electoral registers of all classes, including such unbound sheets as may be required for posting copies of provisional registers; blank poll-books; blank minute-books; blanks for use in administering oaths and affirmations; all other blank forms provided for in this law; official envelopes; cards of instructions to voters; printed copies of the Electoral Law; official stamps or seals; voting booths; guard rails, and ballot boxes.

STATIONERY.

Article 39.—Permanent electoral boards shall have authority to purchase the stationery necessary for their own use, not otherwise furnished them in accordance with the preceding articles. Municipal Electoral Boards shall furnish the necessary supplies of this nature to the college electoral boards in their respective jurisdictions.

Article 40.—All expenses necessarily incident to the administration and fulfillment of the Electoral Law shall be paid from the national treasury, or from the respective provincial or municipal treasuries, according as such expenses devolve upon the Central, or Provincial, or Municipal Electoral Boards, upon proper certificate of said boards.

**ELECTION
EXPENSES.**

Article 41.—Each Municipal Electoral Board is charged with the custody of voting booths, guard rails, ballot boxes, official stamps or seals, cards of instruction, printed copies of the Electoral Law, and other supplies of a permanent nature issued to such Board for use in the various colleges of the municipality. Each ayuntamiento shall furnish to the corresponding Municipal Electoral Board a suitable place for storing such supplies.

**CARE OF
FIXTURES
POLLING
PLACES.**

Article 42.—On the first business day of April in each year the Central Electoral Board shall render to the Department of Government a return of all voting booths, guard rails, ballot boxes, official stamps or seals, cards of instruction to voters, printed copies of the Electoral Law, and of any other election supplies or fixtures of a permanent nature, purchased with treasury funds; and shall to that end require a return from each subordinate board. The returns of Municipal Electoral Boards shall be transmitted through the corresponding Provincial Electoral Board, which shall make up therefrom consolidated returns of their respective provinces for transmission to the Central Electoral Board.

**ACCOUNT-
ING FOR SUP-
PLIES.**

Article 43.—Official correspondence of the Central, Provincial, Municipal and College Electoral Boards shall be entitled to transmission by the government mails and telegraph lines on the same terms as official correspondence of the State, being therefore exempt from all expense.

**MAIL AND
TELEGRAPH.**

Article 44.—The following provisions of this article are applicable to all permanent Electoral Boards, whatever be their grade and denomination:

**PROVISIONS
COMMON TO
PERMANENT
ELECTORAL
BOARDS.**

Section I.—Each electoral board shall appoint a secretary, who shall hold office during its pleasure and be present at every session, but shall have no

**SECRETAR-
IES.**

vote nor take part in the discussions of the board. In addition to the duties imposed upon the secretary by other provisions of this law, he shall have charge of the seal and records of the board, which he shall keep in the office of the board or in such other place as the latter may by resolution direct; he shall, without delay, place before the president all communications received directed to the secretary or to the board, as well as all papers filed; he shall conduct the correspondence and keep the accounts of the board, and shall carry out the orders of the board and of the president thereof.

The secretary shall reside in the municipality wherein the board has its permanent office. Members of electoral boards are not eligible for the office of secretary.

NOTICE OF MEETINGS.

Section II.—The secretary of each electoral board shall send by mail or otherwise a written notice of each meeting to the president, members and substitutes, not less than twenty-four hours before the meeting. Such notice shall be sent by telegraph to members and substitutes whenever delay in the mails may prevent the opportune receipt thereof by the person upon whom notice is to be served. Sessions may be held on shorter notice when urgency requires it and the president, members and substitutes are served with notice of the meeting such time in advance thereof that they may attend. The notice or citation shall in all cases specify the time, place and purpose of the meeting.

PLACE OF MEETING.

Section III.—Except as otherwise provided in this law, each electoral board shall hold its meetings in its office.

SESSIONS TO BE PUBLIC.

Section IV.—Unless otherwise specified in this law or specially resolved by the electoral boards for just cause to be reported immediately to the corresponding superior boards, all sessions of such electoral boards shall be public.

BULLETIN BOARDS.

Section V.—Each electoral board shall provide itself with an ample bulletin board to be firmly fixed in a place accessible to the public and so located that notices posted thereupon may conveniently be read, and shall also be protected from the weather as much as circumstances will permit.

If it becomes necessary to change the location of any such bulletin board, notice of the change, including a description of the new location, shall be conspicuously posted at the old location for a period of five days before and of not less than ten days following the removal.

Whenever in this law it is provided that minutes, notices or other papers shall be posted, without specifying a particular place therefor, it is understood that the same shall be posted upon the bulletin board herein provided for.

Section VI.—The secretary of each electoral board shall, under the direction of the board, keep detailed minutes of all meetings, which shall be entered in a bound book the pages of which shall have been previously numbered in regular order and stamped. The name of the president and of each member and substitute present shall be recorded therein. When a division occurs upon any question the ayes and nays shall be made of record, and also the controlling reason for the decision adopted. The minutes shall be approved by the board and signed by the president and the secretary before the hour at which the latter is required by law to post an authenticated copy. Once signed and posted, the minutes shall not be amended or changed by erasure or interlineation. Necessary corrections shall be made in the minute-book by resolution of the board, and reference shall be made thereto in foot-notes on the page on which the error was made, and the resolution authorizing the correction shall be stated in such footnotes.

MINUTES.

Section VII.—At or before ten a. m. of the day following that upon which any meeting of an electoral board is held, the secretary of the board shall post on the bulletin board a verbatim copy of the minutes of such meeting, authenticated by his signature and by the stamp of the board. When an electoral board is required by law to take action upon a pending matter before noon of a certain day, the copy of the minutes setting forth the resolution of the board, authenticated as above prescribed, shall be posted on the bulletin board at or before six p. m. of the same day.

POSTING OF MINUTES.

Section VIII.—Unless otherwise provided for in this law, documents to be delivered to an electoral board shall be filed with the secretary of said board.

SECRETARY TO RECEIVE PAPERS.

Upon the reverse side of each such instrument the secretary shall endorse the day and hour of receipt, and shall designate over or below his signature the board for which he is acting, and affix the seal of such board.

RECEIPTS.

Section IX.—For instruments in writing filed with the secretary of an electoral board, he shall immediately issue to the person presenting the same a dated, stamped and signed receipt, showing the purpose for which the instrument was filed.

For every document the secretary may deliver pursuant to law or by order of the board he shall likewise require a receipt.

RECORDS.

Section X.—In books provided for that purpose secretaries of electoral boards shall keep a record of the documents received or delivered. The record shall include the day and hour of receipt or delivery, the name of the person who makes the delivery or to whom the delivery is made, the name of the person or persons whose rights may be affected by the paper in question, and a concise statement of the purpose of each paper or notice. The record shall be made on the day of the receipt or delivery.

RECORDS PUBLIC.

Section XI.—The records of electoral boards shall be subject to inspection by interested parties on any day and hour during which the office of the board is open to the public pursuant to the provisions of this law. Such inspection can be made only in the presence of the secretary or a member of the board, and shall not extend to any document required by law to be kept under sealed cover, nor shall it be permitted to interfere with the necessary official use of the records, which, in any event, shall have precedence.

SPECIAL MEETINGS.

Section XII.—Electoral boards may hold special meetings, whenever the public interest requires it, by order of the president, or at the instance of two members of the board.

OFFICE HOURS.

Section XIII.—On days during which the office of an electoral board is required by this law to be kept open, hours for the transaction of business shall be from eight to eleven a. m. and from one to five p. m.

Section XIV.—Whenever an electoral board has to resolve any matter of its jurisdiction, such board may, at its discretion, hear oral testimony given under the sanction of an oath administered by the secretary in the manner prescribed in article 59 of this law; but no person shall have the right to demand that the testimony of another be taken under oath.

ORAL TESTIMONY.

Article 45.—The secretary of each permanent electoral board shall receive a salary, which shall be fixed by such board, but the resolution fixing such salary shall not become effective until approved by the Central Electoral Board. The salary of the secretary of the Central Electoral Board shall be paid from the national treasury, and shall not exceed two thousand and four hundred dollars per year. The salary of the secretary of each Provincial Electoral Board shall be paid from the proper provincial treasury, and shall not exceed the salary received by the secretary of the government of the corresponding province. The salary of the secretary of each Municipal Electoral Board shall be paid from the proper municipal treasury, and the maximum thereof shall not exceed the salary of the secretary of the corresponding municipal administration; but in no case shall such salary exceed that assigned the secretary of the Central Electoral Board. Such salaries shall not exceed one-half the amounts thus fixed in years when no election is to be held within the territorial jurisdiction of a given board.

SALARIES OF SECRETARIES.

Article 46.—When it deems necessary, or when requested by a subordinate board, the Central Electoral Board may issue instructions and rules designed to facilitate the application of this law.

INSTRUCTIONS AND RULES.

Article 47.—The Central Electoral Board shall prepare and furnish to the subordinate boards, besides the forms provided for by this law, those requested by such boards for the proper application of the same.

FORMS.

Article 48.—Each permanent electoral board shall, subject to the conditions hereinafter specified, have authority to employ such temporary employees as may be required to perform the clerical work of the

EMPLOYEES.

board which can not be performed by the secretary unaided; but such employment shall not be valid until submitted to the approval of the next superior board, with a statement of the number of employees required and the number of days during which their services are considered indispensable. Upon receipt of such statements, the Central or the Provincial Electoral Board, as the case may be, shall fix the maximum number of employees that may be engaged by the board recommending their employment, and the maximum number of days during which they may be utilized. The compensation of such employees shall be fixed by the board employing them, at a rate not exceeding two dollars for each day of eight hours work, and shall be paid from the national, provincial or municipal treasury, as the case may be, upon the certificate of the president of the board utilizing their services. Each such certificate shall contain a statement that the employee in question performed the services assigned to him, and that such services were indispensable.

**REIMBURSE-
MENT OF
TRAVEL EX-
PENSES.**

Article 49.—Presidents, members and secretaries of permanent electoral boards shall be entitled to reimbursement of travel expenses at the rate allowed to civil functionaries of the first class as provided by law, when engaged beyond the limits of the municipality wherein they reside, on duty pertaining to the administration of this law. Such reimbursement shall be paid upon certificate of the president of the electoral board to which the functionary pertains, and from the treasury of the political division to which such board corresponds.

MESSENGERS.

Article 50.—When any employee of any electoral board is utilized as a messenger for the conveyance of papers or supplies, his travel expenses shall be reimbursed upon the certificate of the president of the electoral board employing him, from the treasury of the political division to which such board pertains.

DESIGNATION OF POLITICAL MEMBERS OF COLLEGE BOARDS.

Article 51.—Each political party or independent group of electors filing valid certificates of nomination for any election and desiring representation upon the college boards, may in writing designate to the Municipal Electoral Board one representative and his sub-

stitute for each college in the municipality, for the purposes of the following article. Such designations shall be filed with the proper Municipal Electoral Board not less than twenty-five days before the election; shall specify the particular college for which made and the qualifications of the persons designated, and shall be signed by the committee referred to in articles 96 and 97, respectively, of this law. Such committee may at the same time file an alternate designation of a representative and his substitute for each college in the municipality for use in case of invalidity of the prior designations. Such alternate designations shall be taken into consideration by the Municipal Board in case the persons primarily designated shall be found inadmissible. Persons so designated shall possess the qualifications required by this law to be members of college boards in the municipality in question.

**COLLEGE
ELECTORAL
BOARDS.**

Article 52.—Not more than twenty-four nor less than twenty-one days before the date upon which an election is to be held, each Municipal Electoral Board shall appoint an electoral board and two employees for each college in the municipality. Each college electoral board shall consist of a president, to be chosen by the Municipal Electoral Board, and four members, of which each political party or independent group of electors which may have nominated a complete ticket shall designate one. In case more than four complete tickets shall have been nominated, preference shall be given to the representatives designated by organized political parties, in the order of the vote polled by such parties in the municipality at the last preceding election. As between the representatives designated by independent groups of electors the Municipal Electoral Board shall decide. In case less than four complete tickets shall have been nominated, the membership of the college board shall nevertheless be brought up to four, exclusive of the president, by appointing a sufficient number of members designated by such political parties or independent groups of electors as may have nominated partial tickets, observing the same order of precedence as is prescribed in the case of complete tickets. In case less than four tickets, either complete or partial, shall have been nominated, the Municipal Electoral Board shall appoint to each college board a sufficient number of independent electors to bring the membership up to four, exclusive of

the president; and if, in such case, any party or independent group entitled to representation on the college board shall have failed to opportunely designate a representative, the Municipal Electoral Board shall, in order to complete said number of four, designate an elector of such party or group.

A substitute for the president and one for each member of the college electoral board shall likewise be appointed. Each substitute shall be designated in the same manner as his principal. One substitute employee, who shall act in the absence of either of the two employees, shall also be appointed.

The president and his substitute, and the two employees and their substitute, shall be selected by majority vote of the Municipal Electoral Board. The president, members, employees and substitutes appointed or designated for duty with college electoral boards shall in every case be registered electors of the municipality to which the colleges pertain, must be in full possession of civil and political rights, and must be able to read and write.

Whenever a college electoral board is constituted, the Municipal Electoral Board making the appointments shall designate as watcher at the same polling place one representative of each political party or independent group of electors which, having nominated a complete or partial ticket, and having submitted the name of a representative for appointment on the college board, could not under the foregoing provisions obtain representation on such board. Each such watcher shall possess the qualifications required by this law to be a member of the college board.

A list of all appointments referred to in the preceding paragraph, arranged by barrios and colleges, shall at once be forwarded to the secretary of the corresponding Provincial Electoral Board.

APPEALS.

Article 53.—From any resolution of a Municipal Electoral Board constituting college electoral boards, appointing watchers, designating electoral colleges or designating polling places under the provisions of articles 52, 71 and 125 of this law, an appeal may be taken to the proper Provincial Electoral Board. The appeal shall be filed with the secretary of the board appealed from before twelve o'clock noon of the nineteenth day preceding the election. The secretary shall at once post a notice on the bulletin board of the filing of the appeal.

Immediately after the time fixed in the preceding paragraph for filing appeals shall have expired, the Municipal Electoral Board shall convene, and, after taking cognizance of the appeals filed, shall cause to be attached to each such appeal a transcript of the resolution or resolutions appealed from, along with all the documents on file and pertaining thereto which may be useful in the resolution of the appeal, and particularly including designations, both primary and alternate, made pursuant to article 51 of this law by political parties or independent groups of electors the interests of which may be affected by the appeal. On the same day the secretary of the Municipal Electoral Board shall, by the most expeditious means, forward all appeals and related documents to the secretary of the proper Provincial Electoral Board.

If the appeal be from a resolution appointing a president or an employee of a college board, or his respective substitute, the Municipal Electoral Board shall with the appeal forward the names of two electors legally qualified to fill the position in question; and the committees of political parties or independent groups of electors whose designations have been protested may submit direct, to the appellate board the names of such electors, legally qualified for membership in the college boards as such committees may desire to designate in case their original designations are not finally approved. The legal qualifications of persons so designated shall be specifically stated, and such persons shall be considered for appointment by the appellate board in case the original designations are not approved.

The Provincial Electoral Board shall, with the least possible delay, but in any case within three days following receipt thereof, resolve appeals taken under the provisions of this article. If the appeal be resolved with not more than one dissenting vote, the decision shall be final. If more than one dissenting vote be cast, a transcript of the said resolution, along with all the papers connected with the case, shall at once be forwarded by the most expeditious means to the secretary of the Central Electoral Board, and the latter board shall render a final decision within three days after the receipt of such transcript and papers.

The final decision rendered shall be communicated, by the most expeditious means, to the proper Municipal Electoral Board for execution. If the appeal

concern appointments to college electoral boards, or appointments as watchers, the resolution shall specifically name the persons that should be appointed. In default of eligible designations, the appellate board shall upon its own motion name the necessary electors to constitute or complete the required college boards in conformity with the provisions of article 52 of this law. Upon receipt of the definitive decision of the appeal, the Municipal Electoral Board shall at once convene and carry out such order.

The provisions of this article shall apply to appointments to college electoral boards, the appointment of watchers, and the designation of polling places made pursuant to article 187 of this law, except that in such cases the appeals shall be filed within twenty-four hours after the posting on the bulletin board of the minutes containing the resolution appealed from, and that the decision of the Provincial Electoral Board shall be final.

When the papers connected with the appeals provided in this article are despatched to the next superior electoral board, the forwarding board shall notify the secretary of the superior board of the despatch of the papers, by telegraph when both boards are located in different municipalities; and like action shall be taken by the superior board when transmitting its order to the municipal board concerned.

The provisions of article 193 of this law shall apply to proceedings under this article, save in so far as the former refers to the courts of justice, which in no event shall take cognizance of these appeals.

CERTIFICATES OF APPOINTMENT.

Article 54.—To each president, member and clerk of the college electoral board, and to each of their substitutes, the Municipal Electoral Board shall deliver a certificate of appointment. (*Form No. 2*).

Each certificate shall specify the barrio and college for which the appointment is made, the office, the name of the appointee, the name of his substitute, the location of the polling place, and the date of the election. The certificates of substitutes shall specify also the names of the respective principals. Such certificates shall be signed by the president, secretary and members of the Municipal Electoral Board, and shall bear the stamp of such board.

To each watcher there shall likewise be issued a certificate of appointment, which, except for the de-

signation of the office, shall conform to those issued to members of the college boards. (*Form No. 3*).

Delivery of such certificates of appointment shall be made within twenty-four hours after the time for appeal shall have expired, if no appeal has been filed, or, if filed, within twenty-four hours after receipt of the final order of the competent superior board. Delivery shall be made personally to the party interested upon his receipt, and for this purpose the board may make use of the municipal alcaldes to the end that the latter may order the distribution of the certificates by the agents of their authority.

Article 55.—The provisions of this article shall be applicable to all electoral boards, whatever their grade or denomination.

**PROVISIONS
COMMON TO
ALL ELECTORAL
BOARDS.**

Section I.—The president shall be an integral part of the electoral board over which he presides, with voice and vote.

**PRESIDENT
A PART OF
THE BOARD.**

Section II.—Except as provided in article 56 of this law, the offices of president and of members of an electoral board, as well as of their respective substitutes, shall be honorary, gratuitous, and obligatory.

**OFFICE
HONORARY,
GRATUITOUS
AND OBLIGA-
TORY.**

Section III.—It shall be obligatory upon each member present to vote, in the sense that he considers proper, upon any matter submitted to the board for resolution.

**VOTING
OBLIGATORY.**

Section IV.—Attendance upon any meeting the holding of which is prescribed by law, or to which the law refers, as well as upon all others concerning which notice has been received a sufficient time in advance to permit of attendance, is obligatory upon each member of an electoral board. The same rule applies to substitutes, unless advised by principals that the latter will attend in person.

**ATTENDANCE
OBLIGA-
TORY.**

Section V.—Each member of an electoral board present at a meeting of such board shall have one vote upon each and every question before the board.

VOTES.

Section VI.—Every appointment, decision or ruling of an electoral board shall be made by majority vote of the members present.

**MAJORITY
RULE.**

TIE VOTES.

Section VII.—In case of a tie vote on an electoral board, the president thereof shall cast an additional and deciding vote.

MINORITY OPINION.

Section VIII.—Upon demand made immediately after the vote is taken, a brief but accurate statement of the minority opinion shall be made of record in the minutes.

OBLIGATIONS OF SUBSTITUTES.

Section IX.—When acting in lieu of their principals, substitutes shall have the same rights and shall be under the same obligations as would the principals if present. When the principals are present, their substitutes shall have no rights and no privileges as such except those belonging by law to every Cuban elector.

OFFICIAL STAMPS OR SEALS.

Section X.—The official stamp or seal of the Central Electoral Board shall bear the words "*Central Electoral Board—Republic of Cuba*"; that of each Provincial Board, the words "*Provincial Electoral Board*", and the name of the province; that of each Municipal Board, the words "*Municipal Electoral Board*", and the name of the municipality; and that of each college electoral board, the words "*Electoral Board—College No.*", with the number of the college and the name of the barrio and municipality.

PAY OF COLLEGE BOARDS

Article 56.—Presidents, members and employees of college electoral boards shall each receive a compensation of three dollars for each election at which he shall have been on duty; which shall be paid from the municipal treasury upon certificate of the president of the Municipal Electoral Board that the services have actually rendered.

EMPLOYEES OF COLLEGE BOARDS.

Article 57.—The office of employee of a college electoral board and of his substitute is obligatory after acceptance.

POSTED NOTICES.

Article 58.—Notices or other documents posted on the bulletin board pursuant to the provisions of this law shall not be removed until after the expiration of a period of ten days after they shall have been posted.

Article 59.—Any president, member or secretary of a permanent electoral board shall be empowered to require at any time an oath or affirmation in matters relating to the administration of this law. The president and members of a college electoral board shall be similarly empowered on election day.

In case of a declaration or other written instrument, unless otherwise especially provided for in this law, the following note shall be appended to the foot thereof:

I,....., having been called upon to take oath (or affirmation) by the electoral official who subscribes these presents, and having been apprised by said official of the penalties provided in article 238 of this law for perjury, swear (or affirm) that the foregoing statement or declaration made by me is the truth, the same having been read to me.

At the foot of the foregoing oath or affirmation, the person making the same and the election official administering it, shall sign, and there shall be affixed thereto the seal of the board.

No fee shall be assessed for the administration of an oath.

CHAPTER VI.

ELECTORAL DIVISIONS AND ELECTIONS.

Article 60.—According as general or municipal elections are in question, the unit of electoral administration shall be the province or the municipality, respectively.

**OATHS, BY
WHOM AD-
MINISTERED
AND FORM OF.**

**UNIT OF
ADMINISTRA-
TION.**

Article 61.—At the general elections next preceding the expiration of the terms of office of representatives, provincial governors, or provincial councilmen, their respective successors shall be elected. At the municipal election next preceding the expiration of the term of office of a municipal alcalde or municipal councilmen, their successors shall be elected.

**FIXED DATES
OF ELECTIONS**

Article 62.—Each province shall elect the number of representatives to which such province may be entitled under article 48 of the Constitution, for

**REPRESENT
ATIVES.**

which purpose the number shall be determined by law whenever it becomes proper to alter it.

**SENATORS
AND SENATORIAL
ELECTORS.**

Article 63.—Each province shall be entitled to elect four senators. At the general election immediately preceding the expiration of the term of office for which the senators from each province were elected, such province shall elect a number of senatorial electors equal to double the number of provincial councilmen to which it is entitled, in order that the corresponding senatorial election may be held in the manner provided for by this law.

**PRESIDENTIAL AND
VICE-PRESIDENTIAL
ELECTORS.**

Article 64.—At the general election immediately preceding the expiration of a presidential term of office, each province shall elect a number of presidential and vice-presidential electors equal to the whole number of senators and representatives in Congress to which such province is then entitled; and in addition thereto a number of substitutes equal to one-third the total number of electors corresponding to each province, disregarding fractions.

**PROVINCIAL
COUNCILS.**

Article 65.—Each province shall elect eight councilmen.

**RENEWAL
OF PROVINCIAL
COUNCILS.**

Article 66.—Provincial councils shall be renewed in one-half portion every two years.

**TERMS OF
OFFICE.**

Article 67.—The normal terms of elective offices, after the expiration of the terms provided for in decrees to be published calling the first elections, shall be: of president, vice-president, representatives, provincial governors, provincial councilmen, municipal alcaldes and municipal councilmen, four years; and of senators, eight years.

VACANCIES.

Article 68.—The president of the Senate, the president of the House, and the presidents of Provincial Councils or Ayuntamientos, as the case may be, shall promptly report, respectively, to the Central, Provincial or Municipal Electoral Boards all vacancies occurring in the offices of senator, representative, provincial councilman, governor, alcalde, or municipal councilman.

The offices of representative and provincial and

municipal councilman shall be deemed vacant only when there is no alternate entitled to succeed to the office.

Article 69.—When the seats of one-third or more of the representatives or provincial councilmen which a province is entitled to elect, shall be vacant, the Central or Provincial Electoral Board, as the case may be, shall, unless the next general election will take place in less than nine months, proclaim a partial election to fill such vacancies.

**FILLING
VACANCIES.**

When one-fifth or more of the seats in an ayuntamiento shall be vacant, the proper Municipal Electoral Board shall, unless the next municipal election will take place within six months, proclaim a partial election to fill such vacancies. Representatives or councilmen thus elected shall take office for the unexpired term as soon as they shall have received their credentials.

In partial elections the provisions of articles 181 and 182 of this law shall be observed when the election is held for three or more candidates for offices of the same kind and which are to be filled for an equal term; otherwise the vote shall be cast specifically for one candidate for each office, and the candidate obtaining the majority vote shall be considered elected. To this end the ballot shall state the term during which each office is to be held.

Article 70.—At twelve o'clock noon of the day fixed by law for the members elected for the renewal of a provincial council or ayuntamiento to take office, each such council and ayuntamiento shall convene for the purpose of reorganizing with its new membership; and at such meeting, or as soon thereafter as possible, the newly elected members shall present their credentials.

**REORGANIZA-
TION OF COUN-
CILS FOLLOW-
ING RENEWAL.**

Article 71.—At least four weeks before the date upon which an election is to be held, each Municipal Electoral Board shall determine upon and designate the electoral colleges of the municipality. In each barrio there shall be at least one electoral college. A barrio having more than five hundred registered electors shall be divided into two or more colleges, so that each college shall consist of not less than two hundred and fifty nor more than five hundred regis-

**FORMATION
OF ELECTOR-
AL COLLEGES.**

tered electors of such barrio. The division into colleges and the assignment of electors thereto shall be made by following the alphabetical order of the registration lists, and shall be based upon the number of electors registered in the barrio at the end of the twenty-ninth day preceding the election. Electoral colleges shall bear the name of the barrio to which they pertain and be distinguished from each other by serial numbers, beginning with number one in each barrio.

Where barrios are found to contain fewer than one hundred registered electors, the Municipal Electoral Board may consolidate them into single electoral colleges or attach them to adjacent colleges; provided that under no circumstances shall the number of electors of any college exceed five hundred.

When a general election is to be held, each Municipal Electoral Board shall, immediately upon completing the duty prescribed in this article, certify to the proper Provincial Electoral Board the designation of each electoral college in the municipality and the number of electors registered in each college. This certificate shall be transmitted by registered mail.

CHAPTER VII.

REGISTRATION OF ELECTORS.

PERMANENT ELECTORAL REGISTERS.

Article 72.—Each Municipal Electoral Board shall prepare and keep in conformity with the precepts of this law, a book to be known as the "permanent electoral register", bearing the name of the municipality and province, in which shall be inscribed the names of the electors of such municipality. Each electoral register shall be divided into as many sections as there are barrios in the municipality. In each section of such register shall be inscribed, serially numbered, in alphabetical order of surnames, the names of those residents of the barrio whose status as electors is duly established, with a statement of their age, race, nativity, conjugal status, occupation, residence, term of residence in the province, municipality and barrio, respectively; whether able to read and write; whether or not they possess an academic or professional title, and the date of registration. For the purpose of properly entering the above information in tabulated form, each page of the register shall be properly ruled and divided into headed columns;

and at the right margin there shall be, for purposes hereinafter indicated, five additional columns under the general heading *Cancellations*.

The permanent electoral registers shall be substantially bound. Each page thereof shall have space for the inscription of fifty names. No blank lines shall be left between any two inscriptions pertaining to the same barrio. When the permanent register is opened there shall be assigned to each barrio approximately twice as many pages as will be required to inscribe all the electors of such barrio. The permanent electoral register of any municipality may be divided into such number of volumes as the Municipal Electoral Board may deem advisable to facilitate the preparation and use of the register, each volume to comprise one or more barrios. In case of a very populous barrio the extra or supplementary pages may be bound in a separate volume, the numeration of the pages to follow the order of the volume containing the original inscriptions for such barrio. Whether in a single volume or divided into two or more volumes, the pages of each permanent register of the municipality shall be numbered in one single series, beginning with number one.

The foot of each page of inscriptions shall be signed by the president and secretary of the Municipal Electoral Board and stamped with the seal of such board. When a section of the register is completed, it shall be closed by appending immediately after the last inscription a certificate, signed by the president, secretary and members of the board, showing the total number of electors inscribed in the section, and setting forth that all entries required by law have been made in legal form, and that the register of such barrio is closed by such certificate.

The register above described shall be adjusted to the model inserted opposite this page.

Article 73.—Electors shall be inscribed only in the register of the barrio within the limits of which they are domiciled.

**ELECTORS,
WHERE REG-
ISTERED.**

Article 74.—To be entitled to register as an elector, the person whose registration is sought must have resided in the province for six months, in the municipality for three months, and in the barrio for one month immediately preceding the date of the next

**TERM OF
RESIDENCE.**

election. For purposes of registration, terms of residence shall be expressed in years, fractions of less than one month being disregarded.

**PETITIONS
FOR REGIS-
TRATION.**

Article 75.—Any citizen may, at any time, except during the last twenty-nine days preceding an election, request by written petition addressed to the proper Municipal Electoral Board, his own registration as an elector or that of any citizen, concretely setting forth therein the facts upon which the petition is based.

Similarly, the registration of any person who will become a qualified elector on or before the date upon which the next election is to take place, although he be not so qualified when the petition is filed, may be applied for. All petitions for registration shall contain all the information required by article 72, concerning the person whose registration is sought; as also where he has resided since a date three months prior to that of the last preceding election, and the sworn declaration that he has been a resident of the province, municipality and barrio in which his registration is requested, for the periods prescribed in article 74, specifying the province, municipality and barrio in which his name was last inscribed, or, in the proper case, that it has been inscribed in no prior register. In case of prior registration a certificate of exclusion issued by the secretary of the proper Municipal Electoral Board shall accompany the petition.

When the person whose registration is sought is not a Cuban by birth, proof of naturalization shall accompany the petition.

**PETITIONS
FOR EXCLU-
SION.**

Article 76.—Any citizen may, at any time, except during the last twenty-nine days preceding an election, file with the proper Municipal Electoral Board a written petition requesting that any person or persons be excluded, provisionally or definitively, from the electoral register, and specifying the facts upon which the petition is based.

**REPORTS
CONCERNING
ELECTORAL
CAPACITY.**

Article 77.—On the first business day of January, April, July and October of each year the commander of the Armed Forces of the Republic shall transmit to the Central Electoral Board a statement, arranged by provinces and municipalities, showing the names of all persons of electoral age who may

have been enlisted in the Armed Forces or discharged therefrom during the preceding three months. The Secretary of Government will transmit a similar statement in respect of persons admitted to asylums or discharged therefrom. The Central Electoral Board will transmit such statements for the proper purposes to the proper Provincial Electoral Boards, and the latter shall transmit them to the proper Municipal Electoral Boards.

On the same dates as expressed in the preceding paragraph, judges and courts shall transmit to the corresponding Municipal Electoral Boards brief transcripts of all final decisions rendered during the preceding quarter which affect the electoral capacity of the convicted. Municipal judges will likewise send to the proper Municipal Electoral Boards certified lists of all entries in the civil registry in their charge showing deaths of males of electoral age during the preceding quarter. If there shall have been no such deaths, and no decisions affecting electoral capacity of any person shall have been rendered, judges and courts shall advise the proper Municipal Electoral Boards to that effect.

Article 78.—Municipal Electoral Boards shall keep a provisional register, bound, paged, and divided into as many sections as there are barrios in the municipality, as prescribed for the permanent register. Each section shall be divided into two subsections, destined, respectively, to the exclusion and inclusion of persons who, since the last election, shall have ceased, either temporarily or permanently, to be electors of the barrio, and who have acquired or recovered therein the status of electors. Such registers shall be alike in form to the permanent registers, except that the five columns at the right of each page shall have the general heading "Inscription Authorized" in the subsection of inclusions, and the general heading "Exclusion Authorized" in the subsection of exclusions.

**PROVISIONAL
REGISTERS.**

All exclusions and inclusions referred to in the preceding paragraph, subsequent to the close of registration for one election until the closing of the provisional register for the next succeeding election, shall be entered in the proper subsection of the provisional register from time to time as authorized by the Municipal Electoral Board, in chronological order, without reference to alphabetical arrangement. Each entry

shall carry a reference, in columns provided for that purpose under the general heading "Exclusion Authorized" or "Inscription Authorized", as the case may be, to the number and page of the minute-book where the resolution of the board authorizing the entry is recorded, and shall state very briefly the reason therefor; and said entry shall be authenticated by the signatures of the president and secretary of the board.

No blank spaces shall be left between entries made in any one subsection.

The subsections above described shall be adjusted to the models inserted opposite this page.

QUARTERLY MEETINGS.

Article 79.—Each Municipal Electoral Board shall meet on the first business day of January, April, July and October in each year, for the purpose of acting upon petitions for registration filed during the preceding quarter, as well as upon all matters arising during the same period which may require a record to be made of transfers, suspensions or exclusions from the electoral register.

MEETING PRECEDING POSTING OF PROVISIONAL REGISTERS.

Article 80.—At a meeting to be held six weeks before the date of every election, Municipal Electoral Boards shall act upon all pending petitions or reports affecting the right of registration filed with the board. The board shall be declared in permanent session until it has concluded its labors.

GENERAL NOTICES.

Article 81.—Forty days before the date upon which any election is to be held, the secretary of the Municipal Electoral Board shall post, on the bulletin board provided for in article 44, section V, of this law, a true copy of both subsections of the provisional register formed for each barrio of the municipality since the last preceding election, in accordance with the provisions of article 78 of this law. He shall also post, so as to be conveniently accessible to the public, a true copy of said two subsections of such provisional register at the office of the alcalde of the proper barrio, if there be such office and otherwise at such convenient public place in said barrio as the Municipal Electoral Board may by resolution direct.

Each page of such copies shall bear the signature of the secretary and the stamp of the Municipal Electoral Board. Each subsection shall bear a statement at the end thereof showing the date and the

number of pages the same contains, and certifying that it is a true copy of the provisional register for the barrio, formed since the date upon which the last election took place. It shall be announced at the same time that at eight a. m. of the thirtieth day preceding the date of the election for which the register has been formed, the Municipal Electoral Board will hold a meeting, at which any citizen may present any written petition relating to the registration or exclusion of an elector, such petition to be accompanied by relevant evidence. The date of such meeting shall be specified by naming the year, the day of the month, and the day of the week upon which it is to be held. The statement referred to in this paragraph shall be subscribed by the president and the secretary of the board. (*Form No. 4*).

Article 82.—At the time fixed by the announcement provided for in the preceding article, each Municipal Electoral Board shall meet in public session in the session hall of the ayuntamiento, where the board shall remain in open session until six p. m. of the same day, except for a recess of two hours at noon. It shall have at its disposal in the session hall the permanent electoral register, the provisional register, and all other papers, reports and records having reference to the electoral register. The board shall receive all petitions for inclusion, exclusion or correction that may be filed prior to six p. m. of the same day. After that hour no further petitions, except the appeals provided for in article 84 of this law, shall be received.

FINAL MEETING TO RECEIVE PETITIONS.

Immediately after six p. m. the secretary shall prepare a list, arranged according to barrios, of all petitions for exclusion, inclusion or correction, filed since the meeting which, under the provisions of article 80 of this law, should be held six weeks before the date of the proposed election.

Article 83.—At the public session referred to in the preceding article, and at closed sessions to be held thereafter upon the same and the following day, the Municipal Electoral Board shall finally resolve all pending petitions relative to registration, cancellation or corrections in the electoral register.

FINAL ACTION UPON PETITIONS.

Article 84.—From any resolution adopted by a Municipal Electoral Board in respect of the registra-

APPEALS TO THE AUDIENCIA.

tion or exclusion of electors, the person to which such resolution relates, or the person filing the petition so acted upon, may take an appeal before the Civil Chamber of the Audiencia of the corresponding province, either personally or through their lawful representatives.

The appeal shall indicate the particular resolution or resolutions appealed from and the grounds thereof, and shall be filed with the secretary of the Board before ten a. m. of the twenty-sixth day preceding that set for the election. Immediately after the close of the period for filing appeals, the secretary shall post a notice of all appeals interposed which have not theretofore been forwarded pursuant to the concluding paragraph of this article.

On the day mentioned in the preceding paragraph, the Municipal Electoral Board shall convene, and shall cause to be attached to each appeal a transcript of the resolution or resolutions appealed from, along with all the documents on file and pertaining thereto.

On the following day the secretary of the Municipal Board shall present, personally if he resides in the provincial capital, all appeals to the presiding justice of the Civil Chamber of the Audiencia of the province. If he resides outside of the capital he shall send said appeals by registered mail, if there is time; otherwise by messenger to be specially appointed therefor by the Municipal Electoral Board under its strict responsibility.

The Civil Chamber shall immediately set a day and hour for the hearing, which shall take place on the fifth business day following the receipt of the appeal, notice of the hearing and the date thereof being posted upon the edict board of the Chamber, than which no other notice shall be required.

The hearing shall take place on the date set therefor, and shall not be suspended on account of the absence of the appellant or appellee or the attorneys of either. New documents may be submitted at the hearing, but the Chamber is not obliged to call therefor. A decision shall be rendered upon the same or the following day, and no appeal shall lie therefrom. Within twenty-four hours after a decision is rendered, the secretary of the Chamber shall by messenger transmit the same and return all papers submitted by the Municipal Electoral Board to the president thereof.

Should the number of appeals warrant, the pres-

ident of the Audiencia may, upon report of the Civil Chamber, constitute from among all the associate justices such number of tribunals of not less than three justices each as shall be necessary for the purpose of expediting the hearing and decisions.

All the appeals which may be filed before the period of the six weeks preceding the election shall be forwarded by registered mail to the presiding judge of the Civil Chamber of the proper Audiencia at the first meeting held by the Board after the presentation of the appeals. Immediately before an appeal is so forwarded, the Municipal Electoral Board shall send, by registered mail, to the person filing the appeal and to the person who shall have been denied registration or excluded from the electoral register, or denied an exclusion petition, a notice that such appeal will on that day be transmitted to the proper court for determination, specifying the place and probable date of the hearing. Upon transmitting the appeal to the Audiencia, the secretary of the Municipal Electoral Board shall transmit therewith a certificate that the notice herein provided for has been given. The Civil Chamber shall dispose of such appeals as prescribed in the preceding paragraphs of this article, except that the hearing shall take place not less than ten nor more than twelve days after the receipt of the appeal by the Chamber, and that the decision, with concomitant papers, shall be transmitted to the Municipal Electoral Board by registered mail.

Article 85.—Two weeks prior to the election each Municipal Electoral Board shall meet for the purpose of correcting and completing the provisional register in conformity with decisions of the corresponding Audiencia. All corrections and entries ordered by the Audiencia having been made, each section and subsection shall be closed by appending thereto a certificate, signed by the president, secretary and members, setting forth the date, the number of names inscribed therein since the last closing entry, that all the entries prescribed by law have been lawfully made, and that the register is closed.

The Board may meet at an earlier date than that prescribed in the preceding paragraph for the purpose of closing the provisional register of any barrio with reference to which no appeals have been taken, or if taken, the decision of the Audiencia is received prior to such date. (*Form No. 5*).

**CORRECTION
AND CLOSING
OF PROVISION-
AL REGISTER.**

**CORRECTION
OF PERMA-
NENT REGIS-
TER.**

Article 86.—Immediately after closing the provisional register, the Municipal Electoral Board shall proceed to correct the permanent register of each barrio by (1) drawing a red-ink line through the serial number, the name and description of every person who, by inscription in the subsection of exclusions of the provisional register formed for the barrio since the last preceding election, shall have been excluded from the permanent electoral register of the barrio in question; and by (2) inscribing next after the last preceding closing entry of the permanent register, the names of those electors who, by entry in the subsection of new inscriptions of the provisional register formed for the barrio since the last preceding election, shall have been admitted or restored as electors in such barrio. Each cancellation shall, in the columns at the right of the page under the general heading *Cancellations*, have a reference to the number and page of the minute-book where the resolution authorizing the corresponding entry in the provisional register carrying cancellation is recorded, and shall be authenticated by the signatures of the president and the secretary. The new inscriptions shall be entered in alphabetical order of surnames, and shall be numbered correlatively with prior inscriptions. At the foot of each page of new inscriptions there shall be affixed the signatures of the president and the secretary of the Municipal Electoral Board and the stamp of such board.

Not later than the tenth day preceding the election, the register as corrected shall be closed by appending immediately after the last entry a certificate showing the total number of cancellations and of new inscriptions made in the section since the last preceding closing entry, the total number of uncanceled inscriptions in the section, that all entries and cancellations prescribed by law have been lawfully made, and that the register of such barrio is closed; which certificate shall be signed by the president, the secretary and the members of the board. (*Form No. 6*).

**PETITIONS
AND APPEALS
HOW AUTHEN-
TICATED.**

Article 87.—Every petition or appeal pertaining to the right of registration shall be in writing; shall be subscribed and sworn to or affirmed by the petitioner or the appellant; and shall be accompanied by all documentary evidence which the petitioner or appellant thinks conducive to the establishment of his contention.

All writings, except official documents, accompanying such petitions or appeals shall likewise be subscribed and sworn to or affirmed, unless this requirement shall have been covered in the petition or appeal itself.

The provisions of this article shall likewise apply to every answer made to petitions or appeals pertaining to the right of registration.

Article 88.—Immediately upon closing the permanent register, the Municipal Electoral Board shall prepare a register of the electors of each electoral college in the municipality. The form of the college register shall be identical with that of the permanent register except that the designation of the college to which the register pertains and the designation and date of the election shall appear upon each page, and that at the right of the page there shall be, in lieu of the columns destined to cancellations in the permanent register, columns under the general heading *Voting Record*, which shall be reserved for the use of the College Electoral Board, as hereinafter provided, and shall be headed respectively *Number on Poll-Book*, *Voted?*, and *Signature of Register Clerk*.

COLLEGE REGISTERS.

Uncancelled inscriptions in the permanent register of the municipality shall be transcribed into the registers of the corresponding colleges, in accordance with the division into colleges and the assignment of electors thereto made pursuant to article 71 of this law. No name shall be entered upon a college register as that of a registered elector, unless inscribed as such in the permanent register of the barrio to which such college pertains. Names shall be entered in college registers in alphabetical order, and shall be serially numbered, beginning with number one.

For each college two identical registers shall be prepared, duly bound, and the pages thereof shall be numbered, beginning with number one. Every page shall bear the stamp of the Municipal Electoral Board. At the end of the register the president, the secretary and the members of the Municipal Electoral Board shall certify over their signatures to the object and date of the election at which the register is to be used, the number of pages which it comprises, the number of electors inscribed therein, that such electors are all those who have electoral rights, and that the entries are made according to the provisions of this law. (*Form No. 7*).

The college register shall be adjusted to the model inserted opposite this page.

**RENEWAL
OF PERMA-
NENT REGIS-
TER.**

Article 89.—During the thirty days following the second presidential election subsequent to the promulgation of this law, and quadrennially thereafter, each Municipal Electoral Board shall open a new permanent electoral register, transcribing thereto every uncanceled inscription contained in the old register. Inscriptions shall be transcribed by barrios in alphabetical order of surnames, with new serial numbers beginning with number one.

**CARD REG-
ISTERS.**

Article 90.—Each Provincial Electoral Board shall keep a card register of the electors of the province. One card shall be used for each inscription. The cards shall be arranged by municipalities and barrios, and in alphabetical order of surnames of electors in each barrio. Such cards shall bear the information inscribed in the corresponding municipal registers. Whenever a new inscription or record of exclusion is entered in the provisional register kept by a Municipal Electoral Board, the secretary of the board shall at once transcribe the same upon a card, authenticated by his signature and the stamp of the board, and transmit such card to the secretary of the Provincial Electoral Board. The latter shall keep the cards in two series—one of valid inscriptions and one of cancelled inscriptions. Upon receipt of notice of an entry of exclusion made by a Municipal Electoral Board, the secretary of the Provincial Electoral Board shall attach to said notice the card bearing the original inscription, and shall file the same in the series of cancelled inscriptions. Cards that have been filed in the series of cancelled inscriptions for a period of five years shall be destroyed by burning them in the presence of the Provincial Electoral Board.

**EMENDA-
TIONS AND AL-
TERATIONS.**

Article 91.—Corrections and alterations in permanent, provisional or college registers shall be made only when absolutely necessary, by resolution of the corresponding Municipal Electoral Board, and when made, attention shall be directed thereto by means of a marginal note, authenticated by the signatures of the president and the secretary of the Municipal Electoral Board, and containing a reference to the page of the minute book where the resolution authorizing such correction or alteration is recorded.

College No. _____ Barrio _____

[illegible]

Secretary

CHAPTER VIII.

NOMINATION OF CANDIDATES.

Article 92.—For the purposes of this law nominations are of two classes, viz:

- (1) Party nominations; and
- (2) Independent nominations.

These nominations shall be made and communicated as hereinafter determined.

**NOMINA-
TIONS CLASS-
IFIED.**

Article 93.—Certificates of nomination of candidates for elective municipal offices shall be filed with the secretary of the proper Municipal Electoral Board; and those of candidates for the office of presidential and vice-presidential elector, senatorial elector, representative, delegate to a constitutional convention, provincial governor and provincial councilman, with the secretary of the proper Provincial Electoral Board. Certificates of nomination shall be filed not more than sixty nor less than thirty days prior to the date fixed for the election. Any elector may, in the presence of the secretary or of a member of the Electoral Board with which they have been filed, inspect such certificates of nomination.

**FILING CER-
TIFICATES OF
NOMINATION.**

Article 94.—No nomination shall be entitled to appear upon an official ballot as a party nomination unless it shall have been made by the competent convention or assembly of delegates of a political party.

Party nominations of candidates for elective municipal offices may be made only by the convention or assembly of delegates of a political party which at the last preceding municipal election shall have polled at least two per cent. of all the votes cast in the municipality for the office of councilman.

Party nominations of candidates for the office of presidential and vice-presidential elector, senatorial elector, representative, delegate to a constitutional convention, provincial governor or provincial councilman may be made only by the convention or assembly of delegates of a political party which at the last preceding election of representatives shall have polled at least four per cent of the total number of votes cast in the province for the office of representative.

The political parties which must present as independent their nominations because they did not obtain the number of votes required by this law at the

**PARTY NOM-
INATIONS.**

preceding election for making party nominations, or because they did not take part in such preceding election, may set forth in such nominations that the same are made by a political party; with the object that at the next election the number of votes obtained in the preceding election may be taken into account for the purpose of obtaining the right to make party nominations.

INDEPENDENT NOMINATIONS.

Article 95.—Candidates for the office of representative, presidential, vice-presidential and senatorial elector, delegate to a constitutional convention, provincial councilman, and provincial governor, may be nominated by a number of registered electors of not less than eight hundred in the province of Habana, five hundred in the provinces of Santa Clara and Oriente, three hundred in the provinces of Matanzas and Pinar del Río, and two hundred in the province of Camagüey.

Candidates for municipal offices may be nominated by a number of registered electors of the municipal district of not less than three hundred, in municipalities of more than one hundred thousand inhabitants; two hundred, in municipalities of one hundred thousand or less and more than fifty thousand inhabitants; one hundred and fifty, in municipalities of fifty thousand or less and more than twenty-five thousand inhabitants; one hundred, in municipalities of twenty-five thousand or less and more than five thousand inhabitants; and fifty, in municipalities of five thousand inhabitants or less.

PARTY CERTIFICATE OF NOMINATION.

Article 96.—The certificate whereby a political party makes known its nominations shall contain:

- (1) The name of the party, stated in not more than five words;
- (2) Any sign or emblem, except the national flag or coat of arms, by which the party may desire to distinguish its ticket;
- (3) The name and residence of each candidate nominated;
- (4) The title and term of the office for which each candidate has been nominated;
- (5) In case candidates for presidential and vice-presidential elector have been nominated, the names and addresses of the candidates for president and vice-president who may have been endorsed by the convention or assembly;
- (6) The appointment of a committee, consisting

of a chairman and two members, selected by the nominating convention or assembly of the party for the purposes provided by this law;

(7) A statement that the nominations and endorsements of candidates certified were made by the competent convention or assembly of the political party named; and,

(8) A statement that the subscribers of the certificate had acted as presiding officer and secretary of the convention or assembly making the nominations and endorsements.

Such party certificates of nomination shall be subscribed and sworn to by the presiding officer and the secretary of the convention or assembly making the nominations and endorsements. (*Form No. 8 and 9a.*)

Article 97.—A candidate may be proposed by means of an independent certificate of nomination for each office for which an incumbent is to be chosen. No elector may sign more than one certificate of nomination for the same office, unless a prior certificate of nomination for the same office signed by him shall have been withdrawn or declared invalid.

Each independent certificate of nomination shall contain:

(1) Any name, consisting of not more than five words, and any sign or emblem, except the national flag or coat of arms, by which the nominators may desire to distinguish their ticket;

(2) The name and residence of each candidate nominated;

(3) The title and term of the office for which each candidate is nominated;

(4) In case of candidates for presidential and vice-presidential elector, the names and residences of the candidates for president and vice-president endorsed by the nominators;

(5) The appointment of a committee, consisting of a chairman and two members, selected by the nominators, for the purposes provided by this law;

(6) The designation of the municipality and barrio of which the nominators are registered electors;

(7) A statement that each nominator is an elector of the barrio designated; and

(8) The signature of each nominator. For one unable to sign, this shall be done at his request by a witness registered as an elector in the barrio, who shall

**INDEPENDENT
CERTIFICATE OF
NOMINATION**

sign his own name opposite the name and surnames of the nominator which he shall himself write.

For each group of independent nominators of each barrio there shall be a separate certificate of nomination; and the authenticity of the signature appearing thereon, as well as the fact that the signers are registered electors of such barrio, shall be verified under oath by a registered elector of the same barrio. (*Forms Nos. 9 and 10*).

**ACTION
UPON CERTI-
FICATES OF
NOMINATION.**

Article 98.—At eight a. m. of the twenty-eight day preceding an election, each electoral board with which under the provisions of this law certificates of nomination are to be filed, shall convene in open session, having before it all certificates of nomination duly filed. Up to four p. m. of the same day any elector may file with such board a written objection to any certificate of nomination on file, stating therein clearly and specifically the reasons upon which it is based.

At the public session referred to in the preceding paragraph, and at sessions to be held on the same day after six o'clock and on the following day until noon, if necessary, the electoral board shall consider and pass upon such certificates of nomination and objections thereto as may have been filed. Such certificates as may have been made and filed in conformity with this law shall be approved by the board, and the board shall reject those not in proper form, expressing and pointing out in such case the defects on which the resolution rejecting the certificates was based.

**ACTION
UPON CERTI-
FICATES OF
NOMINATION
(CONTINUED).**

Article 99.—At eight a. m. of the twenty-fifth day preceding an election, each electoral board with which certificates of nomination have been filed shall convene. It shall take cognizance of all corrections in certificates of nomination and of objections to such corrected certificates, filed prior to nine a. m. of the said day; and shall before noon of the same day finally resolve all pending matters concerning certificates of nomination.

In case of a general election, the Provincial Electoral Board shall immediately, by mail or by telegraph, as may be necessary to insure timely notice to subordinate boards, transmit to the secretary of each Municipal Electoral Board in the province a list of the political parties and independent groups of electors

which shall have filed valid certificates of nomination. Such list shall specify by name the parties and independent groups nominating complete or partial tickets, the latter being designated in the order of their importance in accordance with the number of candidates they nominate.

Article 100.—Any person may be nominated for the same office by more than one party or independent group of electors, unless the office is one subject to the rules of proportional representation. In such case, as also in case he should be nominated for different offices, he shall in writing, prior to eight a. m. of the twenty-eighth day preceding the election, notify the proper electoral board upon which ticket he desires to have his name appear. In the absence of such notification the board shall immediately approve the nomination having priority in filing, and reject the others.

DUPLICATE NOMINATIONS.

Any person holding an elective or appointive office or employment, which carries with it authority to figure as a candidate upon the ballots of a district where he exercises said authority, shall have to inform the Electoral Board of his acceptance in writing, and in addition obtain leave of absence and discontinue discharging the duties of his office or employment within two days after the admission of the nomination.

This leave of absence, which shall terminate the day following the elections, is of a special character, and shall not impair the right of the person interested to the other leaves of absence authorized by law, nor shall it deprive him of the right to salary.

The offices considered included within this provision, are: Provincial Governor, Municipal Alcalde, Judge of Examination, Correctional Judge, Chief of Police, and any other like offices which may be created hereafter.

Article 101.—When any certificate of nomination has been found to contain defects of form, the committee appointed in such certificate of nomination as provided for in articles 96 and 97 of this law, may amend the same by filing with the proper electoral board a certificate, subscribed and sworn to or affirmed by a majority of such committee, setting forth the name of the party or independent group of voters inscribed on the original certificate, specifying the nature of the defect, and containing the necessary

CORRECTING CERTIFICATES OF NOMINATION.

corrections. Such certificate of correction shall contain a statement that the committee has lawful authority to act in the premises, and shall be filed not later than nine a. m. of the twenty-fifth day preceding the election.

**FILLING
VACANCIES.**

Article 102.—If a nomination is declined or a candidate regularly nominated dies or is found to be disqualified to hold the office for which he has been nominated, before the election day, the committee appointed in the corresponding certificate of nomination, as provided for in articles 96 and 97 of this law, may file with the secretary of the proper electoral board a supplementary certificate of nomination setting forth the name of the party or independent group of nominators inscribed on the original certificate, the name of the original candidate, the cause of the vacancy, the name and residence of the new candidate, and the title of the office for which he is nominated. Such supplementary certificate shall contain a statement that the committee has lawful authority to act in the premises, and shall be subscribed and sworn to or affirmed by a majority of such committee. It shall be filed not later than nine a. m. of the twenty-fifth day preceding the election, except when the vacancy is due to the death of the regular nominee, in which case the proper supplementary certificate of nomination may be filed at any time before the date set for the election, provided it be within five days after the death which caused the vacancy.

**NAMES AND
EMBLEMS.**

Article 103.—If two or more parties or independent groups shall in their certificates of nomination make use of the same name, sign or emblem, or of such as are so nearly alike as to cause confusion, the electoral board with which such certificates have been filed shall give preference to the party or independent group having priority in filing. The consequent defect in the remaining certificates using the same or a similar name, sign or emblem shall be pointed out by resolution of the electoral board as provided for in article 98 of this law; and the provisions of article 101 shall be held to apply to the correction of such defect.

In case no new name, sign or emblem is certified by the proper committee within the time limited, the electoral board before which the certificate of nom-

ination is pending shall, if such certificate is otherwise regular, supply the deficiency by selecting an appropriate name and emblem to distinguish the ticket.

The names and emblems of organized political parties shall not be appropriated by independent groups of nominators.

Article 104.—No certificate of nomination, whether original or supplementary, if filed within the period limited by law and prepared in accordance with its provisions shall be rejected unless duly attacked by objection filed in legal form.

**DEEMED
LAWFUL UN-
LESS ATTACK-
ED.**

Article 105.—From any final resolution of an Electoral Board concerning certificates of nomination, an appeal to the Civil Chamber of the Audiencia of the corresponding province may be taken by any elector. The appeal shall embody the resolution appealed from and shall indicate the particular upon which such appeal is based, and shall be filed with the secretary of the proper electoral board at or before four p. m. of the twenty-fourth day preceding the election.

**APPEALS TO
THE AUDIEN-
CIA.**

On the day last mentioned each electoral board shall convene. To each appeal will be attached a transcript of the particular resolution or resolutions appealed from, along with all the documents pertaining thereto.

On the following day before noon the secretary of the electoral board shall present personally, if he resides in the provincial capital, all appeals to the presiding justice of the Civil Chamber of the Audiencia of the province. If he resides outside of the capital he shall send said appeals by registered mail, if there is time; otherwise by a messenger specially designated by the corresponding electoral board under its strict responsibility.

The Civil Chamber shall, immediately upon receipt of such appeals, set an hour of the next business day but one for the hearing, notice of the hearing and the date thereof being posted upon the edict board of the Chamber, than which no other notice shall be required.

The hearing shall take place on the date set therefor. The proceedings shall not be delayed on account of the absence of the appellant or other party in in-

terest, or of the attorneys of either. New documents may be submitted at the hearing, but the Chamber is not obliged to call therefor.

A decision shall be rendered upon the day set for the hearing, or upon the day following, and no appeal shall lie therefrom. Within twenty-four hours thereafter the secretary of the Chamber shall by messenger transmit the decision and return all the papers to the president of the proper electoral board.

FORMING THE BALLOT.

Article 106.—Immediately upon the receipt of the decision of the Audiencia, the electoral board shall, in conformity with the decision of the Audiencia and in view of its own resolutions concerning certificates of nomination from which no appeal was taken, form the official ballot for the election. The ballot thus formed shall be open to public inspection at the office of the secretary of the board.

A true copy of the ballot, authenticated by the signatures of the president and the secretary of the board, shall be posted on the bulletin board in public view without delay.

If no appeals are instituted the ballot shall be formed immediately after the expiration of the time for filing appeals.

OBJECTIONS AND APPEALS HOW AUTHEN- TICATED.

Article 107.—Every objection and every appeal pertaining to certificates of nomination shall be in writing, shall be subscribed and sworn to or affirmed by the objector or the appellant, as the case may be, and shall be accompanied by such documentary evidence as said objector or appellant deems pertinent.

All writings, except official documents, accompanying such objections or appeals shall likewise be subscribed and sworn to or affirmed, unless in the objection or appeal itself this requirement is carried out in respect of such writings.

The provisions of this article shall likewise apply to every answer made to objections or appeals pertaining to certificates of nomination.

CHAPTER IX.

BALLOTS.

OFFICIAL BALLOTS.

Article 108.—Official ballots shall be provided at each polling place, at the expense of the provincial or municipal treasury, as the case may be, for every

election at which, under the provisions of this law, public officials are to be elected by direct vote of the registered electors, or at which the electorate is to pass upon a question of public interest submitted *ad referendum*.

Article 109.—Official ballots to be used at general or municipal elections shall be printed and distributed by direction of the proper Provincial and Municipal Electoral Boards, respectively.

**BY WHOM
PROVIDED.**

Article 110.—There shall be but one form of ballot for use in electing public officials by direct vote under the provisions of this law. Such ballots shall be printed in black ink upon white paper of smooth surface. Each ballot shall be an exact copy of every other ballot to be used at the same polling place.

**FORM OF
BALLOTS FOR
ELECTION OF
PUBLIC OF-
FICIALS.**

The ballot for each polling place shall contain the names of all the candidates whose nominations may have been lawfully made and not withdrawn, and who may properly be voted for at such polling place.

The lists of candidates of the several parties and independent groups shall be printed in parallel columns. The columns shall be approximately three inches wide, and each bordered on either side by a heavy line. Corresponding portions of the various tickets shall be printed in the same type and in the same relative position in column.

Each ticket shall have a heading consisting of the emblem and the name selected by the nominating body as provided for in this law. Between the emblem and the name at the head of each complete ticket there shall be a blank circle, approximately one-half inch in diameter, to be known as the *voting circle*. Around this circle shall be printed the following words: "*To vote a straight ticket, make a cross mark in this circle*". The heading of each ticket, including the voting circle, shall be separated from the rest of the ticket by a heavy horizontal line printed entirely across the ballot, except that when presidential and vice-presidential electors are to be chosen, the names of the candidates for president and vice-president shall be placed immediately below the name of the party or independent group making the nominations and above such heavy horizontal line.

Each column of the ballot shall contain the titles of the offices to be filled at the election in question and to be voted for at the polling place for which the ballot is prepared. The title of each office, except that of president and vice-president, shall be followed by a number in parentheses indicating the number of candidates for such office to be voted for at such polling place.

The names of the candidates shall be printed beneath the title of the office for which each has been nominated. To the left of the name of each candidate, except of candidates for president and vice-president, there shall be a blank square, to be known as the *voting square*, the sides of which shall be approximately one-fourth of an inch in length. When two or more persons are to be elected to the same office, the title of such office shall be printed but once in each column. When two or more persons are to be elected to the same office, but for different terms, the designation of the term shall be added to the title of the office. The designations of the various offices appearing upon the ballot, except those of president and vice-president, shall be separated from each other by medium horizontal lines printed entirely across the ballot; and senatorial electors-larger taxpayers shall be separated from senatorial electors-not larger taxpayers by light horizontal lines printed entirely across the ballot, and presidential and vice-presidential electors similarly separated from substitute presidential and vice-presidential electors.

In case any party or independent group shall not nominate a complete ticket, no voting circle shall be placed at the head of such ticket; but in lieu thereof there shall be printed the words "*Incomplete ticket. To vote for all candidates on this ticket, make a cross mark in the square printed to the left of the name of each such candidate in the column below*". The title of an office for which no nomination is made shall, nevertheless, be printed in the proper place on the ticket; and underneath such title shall appear in type corresponding to that in which the candidates' names are printed, the words "*No nomination*"; but no voting square shall be placed to the left of such words.

The name of no person shall appear as that of a nominee on more than one ticket upon the ballot, or for more than one office on the same ticket, except in cases permitted by article 100 of this law.

The titles of offices properly appearing upon bal-

lots provided for use at a general election shall be placed in the following order: presidential and vice-presidential elector, substitute presidential and vice-presidential elector, senatorial elector-larger taxpayer, senatorial elector-not larger taxpayer, representative, delegate to a constitutional convention, provincial governor, provincial councilman. National offices shall be separated from provincial offices by a heavy horizontal line printed entirely across the ballot. The titles of offices properly appearing upon ballots provided for use at municipal elections shall be placed in the following order: alcalde, councilman.

At the right of each ballot there shall be a column at the head of which shall be printed only the following: "*Blank Column. An elector may in the column below, and under the title of the proper office, write the name of any person for whom he desires to vote but whose name is not printed on the ballot*". In the proper places in the blank column shall be printed the titles of all the various offices properly appearing upon the ballot. The names of persons thus voted for shall be placed under the name and designation of the proper office upon dotted lines which shall appear before the names of the candidates appearing in other columns.

A heavy line shall be printed across the top and another across the bottom of the ballot. Just above the heavy line printed across the top of the ballot proper, there shall be printed in full-faced type the following instructions: "*Notice to the elector.. This ballot should be marked by means of an indelible pencil. To vote a straight ticket make a cross (+) mark in the circle printed at the head of the ticket you desire to vote, and place no other mark on the ballot. To vote other than a straight ticket make a cross (+) mark in the square printed to the left of the name of each candidate for whom you desire to vote, and place no other mark in any circle on the ballot. To vote for any persons whose names are not printed on the ballot, write the names of such persons in the blank column under the titles of the proper offices. Under each title vote for but the number of persons to be elected to the office in question. Marks other than those above described should not be placed on the ballot. If you tear or deface this ballot, or make an error in marking it, return it to the election official from whom you received it, and obtain another.*"

The foregoing instructions shall be so placed as

to leave sufficient space for the stamp of the electoral board charged with the preparation of the ballot in the upper left-hand corner of the ballot.

On the back of the official ballot shall be printed in full-faced characters approximately half an inch in height, the words "*Official Ballot*", to be followed in separate lines by the designations of the college, the barrio, the municipality and the province, and of the nature and date of the election for which the ballot is prepared. The designations shall be printed in characters approximately one-fourth of an inch in height. The foregoing shall be followed by a fac-simile of the signatures of the president and the secretary of the electoral board charged with the preparation of the ballot. The entire endorsement herein provided shall be so placed as to be in full view when the ballot is folded, and also to leave sufficient space upon the endorsement fold for the stamp of the college electoral board.

The ballot above described shall be adjusted to the model inserted opposite this page.

**FORM OF
BALLOT FOR
REFERENDUM.**

Article 111.—Referendum ballots shall be distinct from those used in voting for candidates for public office, and shall be printed in black ink upon pale-blue paper of smooth surface. Each ballot shall be an exact copy of every other ballot to be used at the same polling place.

At the top of each such ballot shall be plainly printed the following words: "*Notice to the elector. For an affirmative vote upon any question submitted upon this ballot, make a cross mark in the square after the word 'yes' placed to the left of the question. For a negative vote make a similar mark in the square following the word 'no'.*". Immediately below such notice a heavy horizontal line shall be printed across the ballot.

Each question submitted to the electorate shall be clearly and concretely stated. If more than one question is submitted, such questions, shall be consecutively numbered and shall be separated from each other by heavy horizontal lines printed across the ballot.

To the left of each question submitted shall be placed a square measuring on all sides three-fourths of an inch. Each such square shall be divided into four equal squares, in the upper left-hand one of which shall be printed the word "*yes*", and in the



lower left-hand one of which shall be printed the word "*no*".

The endorsement upon the back of such ballots shall be the same as that provided for in the preceding article, except that the word "*Referendum*" shall follow the words "*Official Ballot*".

This ballot shall be adjusted to the following form:

REFERENDUM BALLOT.

Notice to the elector. For an affirmative vote upon any question submitted upon this ballot, make a cross mark in the square after the word "*Yes*" placed to the left of the question. For a negative vote make a similar mark in the square following the word "*No*".

PROPOSITION ONE.

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Shall the Municipality of.....
contract a loan of..... dollars,
as proposed by the Ayuntamiento in a
resolution adopted....., 190.....,
the proceeds of such loan to be used in
constructing a sewer system for the
municipality?

PROPOSITION TWO.

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Shall the Municipality of.....
contract a loan of.....dollars,
as proposed by the Ayuntamiento in a
resolution adopted....., 190.....,
the proceeds of such loan to be used in
constructing a system of water-works
for the municipality?

Article 112.—Sample ballots shall conform in every respect to the corresponding official ballots, except that they shall be printed upon yellow paper, and that in the endorsement upon the back of such ballots the word "*sample*" shall be substituted for the word "*official*". Sample ballots shall be provid-

**SAMPLE
BALLOTS.**

ed, at the expense of the proper treasury, by the electoral boards charged with providing official ballots.

**ORDER OF
TICKETS ON
BALLOT.**

Article 113.—The order in which the various tickets lawfully nominated by party conventions or assemblies shall appear upon the official ballots shall be determined by the competent electoral board, precedence being determined by the number of votes polled in the political division by the respective parties at the last preceding general election. As between tickets named by means of independent certificates of nomination, precedence shall be given to complete tickets.

**ORDER OF
CANDIDATES.**

Article 114.—When two or more persons are to be elected to the same office, the names of the candidates of each party or independent group of nominators shall be placed upon the official ballot in the same relative order in which such names appear upon the certificate of nomination. When the same relative order of names has not been preserved in all the various independent certificates of nomination filed, the order followed by the greatest number of certificates shall be adopted.

**NUMBER OF
BALLOTS TO
BE PROVIDED.**

Article 115.—The number of official ballots to be provided for each electoral college for each election shall be two-and-one-half times, as nearly as may be, the number of electors registered at the end of the twenty-ninth day preceding the election; and the number of sample ballots shall be approximately one-fifth of the number of official ballots.

**MANNER OF
PREPARING
BALLOTS FOR
DISTRIBUTION.**

Article 116.—The electoral board charged with the printing of the ballots shall make up into packages the ballots for each electoral college within its jurisdiction. Only one kind or class of ballots shall be placed in any one package. One-half of the sample ballots for each college shall be placed in one package, and the remainder in a second. Each package shall be securely sealed. Across the seal shall in every case be placed a dated endorsement showing in words and figures the exact number of ballots or sample ballots in the package, and setting forth further all indications tending to establish the authenticity of the contents, except the fac-simile signatures which, under the provisions of article 110, are stamped upon the back of the ballots. Each endorsement shall be signed by the president and the secretary of the

board and bear the stamp of the board. Immediately before making up a package the board will place the imprint of its stamp in the upper left-hand corner of each official and sample ballot.

Article 117.—The ballots, properly prepared and sealed for distribution to the electoral colleges, shall be in the hands of the secretary of the municipal electoral board not later than the fifth day preceding the election.

DISTRIBUTION OF BALLOTS.

Article 118.—The secretary of each electoral board charged with the printing of ballots shall, as soon as the finally printed ballots are received from the printer, post a sample ballot on the bulletin board and place on file in his office an official ballot. Likewise when general elections are in question the secretary of the Provincial Electoral Board shall by registered mail send to the secretary of each Municipal Electoral Board in the province one copy of each ballot, both sample and official. The latter officials shall post and file such copies as above provided.

PRINTED BALLOTS.

Official ballots shall in no case be posted on the bulletin board nor shall they be distributed except in strict accordance with the provisions of this law.

Article 119.—In case a supplementary certificate of nomination to fill a vacancy caused by the death of a nominee is duly filed after the ballots have been printed, or in case a material error is discovered in the printed ballots, the ballots shall be reprinted with the proper corrections, if the new ballots may still be prepared and delivered for distribution to the electoral colleges within the time limited by law. Otherwise the electoral board charged with printing the ballots shall prepare and furnish to the proper college electoral boards adhesive pasters containing the name of the candidate nominated to fill the vacancy, or such other corrections as may be necessary. Such pasters shall be printed on white paper, with black ink, in the same type as employed in the official ballots, and shall be cut to such size as will exactly fit into that portion of the official ballot to be replaced thereby. Such pasters shall be furnished in separate packages to the proper college electoral boards in numbers equal to the official ballots corresponding to the respective colleges; and each package shall be accom-

CORRECTION OF ERRORS AND FILLING VACANCIES.

panied by a certificate, signed by the president and the secretary of the electoral board and stamped with the seal thereof, identifying the packet and setting forth in detail the exact portion of the official ballot to be replaced with the pasters within. The channel of distribution of the packets shall be the same as provided for in case of official ballots; and the secretaries of Municipal Electoral Boards shall transmit such packets to the presidents of the proper college boards by messenger.

**RESERVE
SUPPLY OF
BALLOTS.**

Article 120.—A reserve supply of ballots equal to the requirements of the largest college in the municipality shall be placed in the hands of the secretary of each Municipal Electoral Board at the same time as the ballots for the respective colleges. When a municipality contains more than twenty electoral colleges one such reserve supply of ballots shall be furnished for each twenty of such colleges and for fractions of more than ten. Such reserve ballots shall be identical to those regularly supplied, except that in the endorsement on the back of the ballots and upon the outside of the packages, the designations of the barrio and college shall be omitted.

Upon written application of a majority of the electoral board of any college, setting forth that the ballots furnished such college have been lost, destroyed, stolen or exhausted, the Municipal Electoral Board shall immediately cause one such reserve supply of ballots to be delivered to the college board requiring the same. The college board receiving such ballots shall write the name of the barrio and the number of the college in the proper spaces on the endorsement fold of each ballot required to be used, and shall use such reserve supply of ballots as is provided in this law in case of the regular supply thereof.

**EXTRAORDI-
NARY BAL-
LOTS.**

Article 121.—If, in case of general elections, the official ballots required by law to be furnished to Municipal Electoral Boards for distribution to the colleges of the municipality, are not delivered, or if after delivery they should be stolen or destroyed and time be lacking to secure a new supply from the provincial board, the Municipal Electoral Board shall cause other ballots to be prepared corresponding substantially in form and contents with the ballots to be replaced, except that the word "*Official*" in the en-

dorsement on the back shall be replaced by the word "*Extraordinary*", and the fac-similes of the signatures of the president and the secretary of the provincial board by those of the corresponding officials of the Municipal Electoral Board. The stamp of the Municipal Electoral Board shall be substituted for that of the Provincial Electoral Board on the face of the extraordinary ballots. The Municipal Electoral Board shall transmit such ballots under sealed, stamped and signed cover to the colleges in the number provided for in case of official ballots, accompanied by a copy of the resolution of the Municipal Electoral Board authorizing their preparation and distribution, signed by the president and the secretary of the Municipal Electoral Board and bearing the stamp thereof. The college electoral boards receiving such ballots shall, if official ballots can not be supplied or are not supplied by seven a. m. of election day, cause such extraordinary ballots to be used at the election in the same manner as the official ballots.

Sample extraordinary ballots shall not be printed; nor shall extraordinary ballots be prepared, distributed or used in any other manner than as provided for in this law.

Article 122.—As soon as possible after the ballot shall have been formed, there shall be furnished to the secretary of each Municipal Electoral Board a proportional supply of sample ballots for distribution within the municipality. In case of a general election five hundred sample ballots shall be furnished the secretary of the Provincial Electoral Board for distribution. Such sample ballots shall be in addition to the number otherwise provided for, and the number shall not be less than one hundred nor more than one thousand for any municipality, except Habana, graded approximately according to the number of electors registered therein. For Habana the number shall not exceed five thousand. The proper electoral board shall in each case give the necessary orders to secure the earliest distribution of such additional supply of sample ballots.

**ADDITIONAL
SAMPLE BAL-
LOTS.**

Article 123.—The printing of official or extraordinary ballots shall be ordered by the electoral board charged with furnishing such ballots. The edition shall be limited strictly by the requirements

**PRINTING
BALLOTS.**

of this law, and shall be fully accounted for by the printer to the board ordering the ballots. No person not so authorized by this law shall order printed, print, distribute or use official or extraordinary ballots, or what purports to be but is not an official or extraordinary ballot.

CHAPTER X.

CONDUCT OF ELECTIONS.

RECEIPT AND DISTRI- BUTION OF SUPPLIES FOR COLLEGE BOARDS.

Article 124.—Not more than four nor less than two days prior to any election, the president of each college electoral board shall present himself at the office of the secretary of the Municipal Electoral Board, and shall there receive from the latter official and receipt for the following election supplies for the use of the college board over which he presides:

(1) The official and sample ballots, under the sealed covers provided for in article 116 of this law;

(2) The blanks provided for in article 129 of this law;

(3) Two copies of the college register, one under sealed cover; and,

(4) The stamp of the college board.

One package of the sample ballots shall be broken in the presence of the secretary of the Municipal Electoral Board; and the president of the college board shall immediately cause to be posted in a place accessible to the public at the polling place of the college, four sample ballots and the copy of the college register not under seal, and also four other sample ballots in different parts of the barrio in which the electors of the college reside. The remainder of the sample ballots shall be given out to such electors as may call for a sample ballot, one sample ballot to each applicant.

In case the president shall be unable himself to perform the duty prescribed in this article, he shall in writing designate therefor two members of the college board.

POLLING PLACES.

Article 125.— When the Municipal Electoral Board appoints college electoral boards, a polling place shall be designated for each college. Polling places shall be conveniently located in suitable rooms or buildings. Not later than the day preceding the

election the Municipal Electoral Board shall see that there are delivered and put in place in each polling place the required voting booths, guard rails, ballot boxes, tables, chairs, cards of instructions to electors, indelible pencils, pens, penholders, ink, blotters, blanks for use in administering oaths or affirmations in case of challenges, two copies of the electoral law, and all other supplies and appliances necessary in a polling place, except such as are by this law to be delivered to the president.

The Municipal Electoral Board shall arrange for the lighting of the polling places during the election and the scrutiny of the vote, and shall place the premises designated at the disposal of the president of the college board ready for use, not later than six p. m. of the day preceding the election.

The polling place of each college shall be located in the barrio to which the college pertains, and in a public building if a suitable one be available; and if no such building be available, the Municipal Electoral Board shall rent premises for the purpose, the rental to be paid from the municipal treasury upon certificate of the president of the proper Municipal Electoral Board which made the contract for the rental.

Article 126.—In each polling place there shall be one voting booth for each sixty electors, or major fraction of that number, registered in the college. Each booth shall be at least three and one-half feet square and seven feet high; three sides shall be enclosed, the front side having an opening two feet wide. Each booth shall be fitted with a shelf at least one foot wide and extending across the side of the booth opposite the opening at a convenient height for writing, and shall be furnished with such necessary writing materials, including indelible pencils, as will enable electors conveniently to prepare their ballots for voting. Each booth shall be kept clearly lighted, by artificial light when necessary, while the polls are open. Every booth shall be so arranged that there shall be no access to the same or to the occupant thereof except through the opening of such booth; which opening in the front shall be in full view of the members of the college electoral board and of persons just without the guard-rail provided for in the next article.

VOTING BOOTHs.

**GUARD
RAILS.**

Article 127.—A guard-rail shall be placed at each polling place at least five feet from the ballot boxes and the booths, and shall be provided with one opening for entrance and exit, and so arranged that the voting booths and ballot boxes can be reached only by passing through this opening, and that the booths, ballot boxes, election officials and every part of the polling place shall be in full view of the members of the college electoral board and of persons immediately outside the said guard rail.

**BALLOT
BOXES.**

Article 128.—Each polling place shall be furnished with one substantial ballot box sufficiently large to conveniently hold the ballots which may be deposited at such polling place during the election. When referendum ballots are to be voted, an additional ballot box shall be furnished for that purpose. All such ballot boxes shall be supplied with lock and key.

BLANKS.

Article 129.—The electoral board charged with furnishing the official ballots shall at the time such ballots are furnished, and through the same channels, issue to each college electoral board one blank poll-book, one blank minute-book, tally sheets and returns equal to three times the minimum requirements of such board, and a proportional supply of blanks for use in administering the oath of office to the members and employees of the college board.

**INSTRUC-
TIONS TO
VOTERS.**

Article 130.—The Central Electoral Board shall prepare instructions which shall conform to the provisions of this law for the guidance of voters upon the following matters:

- (1) The method of obtaining an official ballot;
- (2) The method of marking the ballot to indicate the voter's choice;
- (3) The method of preparing the ballot for deposit, and of securing its deposit;
- (4) The method by which an illiterate voter may secure assistance in marking his ballot;
- (5) That erasures or marks of identification shall not be made upon the ballot;
- (6) That a spoiled, torn or defaced ballot shall not be voted;
- (7) The method of obtaining another ballot in place of one that has been torn, defaced, erroneously marked, or otherwise spoiled;

POLL BOOK

College No. _____

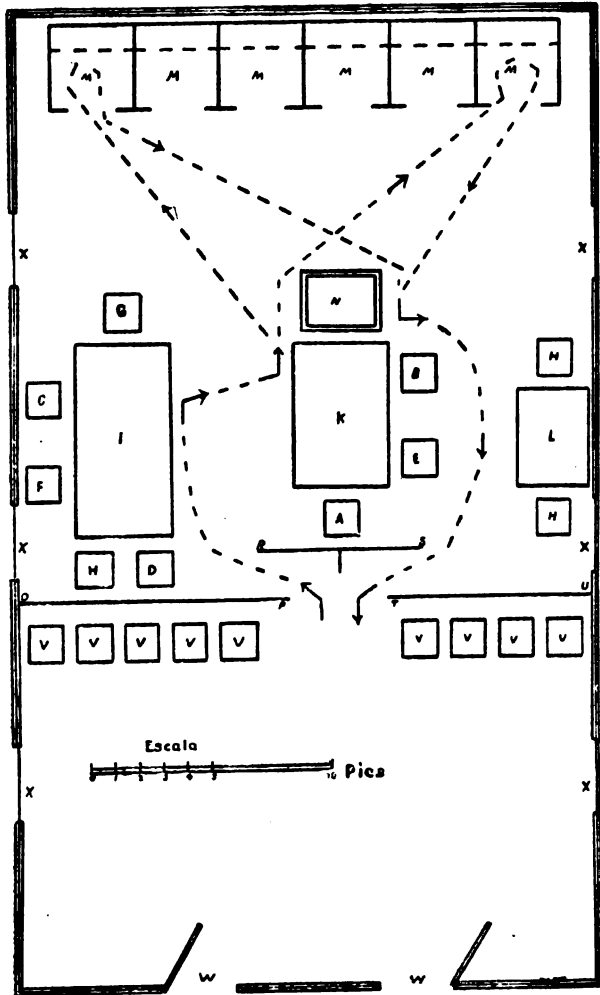
Barrio of _____

Municipality of _____

Province of _____

_____ Election.

190[illegible]



- A. President College Electoral Board.
- B. Member in charge of ballots.
- C. Member superintending work of clerks.
- D. Member in charge of entrance and exit.
- E. Member.
- F. Register clerk.
- G. Poll clerk.
- H. Watchers.
- I. Clerks' table.
- K. Board table.
- L. Watcher's table.
- M. Voting booths.
- N. Ballot box.
- OP, RS, TU. Guard rail.
- PT. Entrance and exit—to be provided with a movable bar or chain so that the opening may be barred except when the polls are open.
- V. Candidates and challengers.
- W. Street entrance.
- X. Windows.

(8) That an unmarked ballot or one improperly marked will not be counted; and,

(9) Any other matters that the board deems essential.

The Central Electoral Board shall cause such instructions to be printed upon cards, in large, clear type, and authenticated by a fac-simile of the signature of the secretary of the board; and said cards shall be furnished to each Municipal Electoral Board in the proportion of one card for each thirty electors in the municipality. Municipal Electoral Boards shall supply such cards in like proportion to the various electoral colleges.

The Central Electoral Board may issue such new, corrected or amended instructions as, in its judgment, occasion requires.

Article 131.—Poll books shall be provided with the proper spaces upon each page for entering the name of the province, municipality and barrio, and designation of the college and date of the election. Each page shall be ruled in five vertical columns under the following printed headings: (1) "*Serial Number on Poll-Book*", (2) "*Name of Elector*", (3) "*Number on College Register*", (4) "*Voted?*", and (5) "*Remarks*".

**FORM OF
POLL BOOKS.**

The form of the poll-book above described shall be adjusted to the model inserted opposite this page.

Article 132.—At six a. m. of election day, the president, members and employees of the college electoral board shall meet at the designated polling place, in the part thereof separated from the public by the guard-rail. Each person shall exhibit his certificate of appointment from the municipal electoral board. The president shall then administer the following oath of office or affirmation to the members and employees:

**MEETING
AND ORGANI-
ZATION COL-
LEGE BOARD.**

Province of..... Municipality of.....
Barrio of..... College No.....

I, the undersigned, having been duly appointed..... of the electoral board of this college, do solemnly swear (or affirm)

to perform the duties of..... of such board, faithfully and in strict accordance with law.

..... of the College
electoral board.

Subscribed and sworn to (or affirmed)
before me by the said..... this.....
day of..... 190.....

..... of the College
electoral board.

(Stamp of college
board).

The members and employees having taken the oath of office or affirmation, one of the members shall administer the oath to the president. Any substitute entering upon the duties of his principal, or any principal replacing his substitute, shall take and subscribe a like oath of office or affirmation.

After the administration of the foregoing oath of office or affirmation, the packages containing the official ballots shall be opened and the ballots counted. If any such ballots do not bear on their faces the stamp provided for in article 116 of this law, the stamp of the college board shall be substituted therefor, and ballots so stamped shall be regarded as lawful official ballots; but they shall not be used until after the supply of those properly stamped by the corresponding permanent electoral board shall have been exhausted.

The board shall complete any necessary arrangements for the performance of its functions, and shall post cards of instructions to voters in each voting booth and supply therein the necessary indelible pencils for marking ballots. One card of instructions and one sample ballot for each voting booth shall also be posted in the polling place but without the guard-rail.

One employee shall be assigned to keep the poll-book and the other to keep the college register. The president shall designate one member of the board to superintend the work of the said employees. The president shall also designate one member who shall have charge of the official ballots and shall issue, receive

back and deposit the same. The members so assigned shall be alternated during the day.

The arrangement of the polling place shall be adjusted as far as possible to the diagram inserted opposite this page.

Article 133.—Each public election shall continue for one day only, the polls opening at seven a. m. and closing at six p. m.

TIME.

Article 134.—Immediately after the college electoral board shall have been convened but not before seven a. m. the president shall, in the presence of the members of the board and of such electors as are present, open the ballot boxes to be used at the election, showing that the same are empty and permitting any elector who so desires to examine them. He shall then close and lock the boxes and himself keep the key, and thereupon announce that the polls are open and will continue open without intermission until six p. m.

**OPENING
THE POLLS.**

When ballot boxes shall have been examined, closed and locked as above prescribed, such boxes shall remain closed and locked until the polls shall have been closed.

Article 135.—Each political party or independent group of nominators whose ticket shall have been declared valid, but which is not entitled to representation on the college electoral board, shall, provided it has filed the credentials prescribed in article 54 of this law, be permitted to place a watcher in each polling place, from the time at which the board meets pursuant to art. 132 until the returns and records of the election shall have been signed and sealed. Such watchers, who shall remain in that part of the polling place separated from the public by the guard-rail, shall be afforded every facility to observe the conduct of the election, the scrutiny of the ballots and the preparation of records and returns; but they shall not be permitted to interfere with the acts of the college electoral board, and upon any overt act to that end shall be expelled by order of the president.

WATCHERS.

Article 136.—Each political party or independent group of nominators whose ticket has been declared valid, may in writing appoint one challenger

**CHALLENGERS
AND
SUBSTITUTES.**

and his substitute for each polling place. The certificates of appointment shall specify the particular polling place for which the designation is made, and shall be signed by the competent municipal chairman, secretary or committee of such party or independent group, who shall necessarily appertain to the municipality within which the college for which the appointment is made is located.

Challengers designated as above indicated, who file their credentials with the college electoral board, as well as official candidates, shall be afforded every opportunity to observe the conduct of the election, the scrutiny of the ballots and the preparation of the records and returns; but they must remain without the guard rail and shall observe proper comportment and order.

**PERSONS
IN POLLING
PLACE.**

Article 137.—Aside from the president, members and employees of the college electoral board, the duly accredited watchers provided for in article 135 of this law, and intending voters, with their vouchers if they should have been challenged, no person shall from six a. m. on election day until after the last vote has been deposited, as provided in article 151, be permitted within the space enclosed by the guard-rail of a polling place. From that hour until the returns have been signed and sealed, only the president, members and employees of the college electoral board and duly accredited watchers and official candidates shall be permitted within the guard rail. No other persons shall, during the respective periods stated, be permitted within the polling place. The number of intending voters within the polling place shall not exceed eight, including those voting and those awaiting turn.

**VOTING BY
BALLOT.**

Article 138.—All voting under the provisions of this law shall be by official ballot.

**REGISTRA-
TION INDIS-
PENSABLE.**

Article 139.—No person not registered in accordance with the provisions of this law shall be permitted to vote. No elector may, except as provided for in article 140 of this law, vote at any place other than the college wherein he is registered.

Article 140.—The president, members and employees of a college electoral board not having voted in another college may cast their votes in the college with which they are on duty, even though they are not inscribed in the register of such college. Such votes shall be recorded on the poll-book and noted in the minutes, but no entry thereof shall be made on the college register.

**VOTE OF
ELECTION OF
FICIALS OF
COLLEGES.**

Article 141.—While the polls are open, any citizen entitled to vote under the provisions of this law and who has not theretofore exercised such right at the election in question shall be allowed to enter the space inclosed by the guard-rail of the polling place of the electoral college in which he is registered, for the purpose of casting his ballot. He shall pass within the guard-rail through the entrance provided for that purpose, and shall immediately tell the president his name and place of residence. If his name appears upon the register of the college, and he is not challenged, or if challenged, the challenge be decided in his favor, the proper member of the college electoral board shall hand him an official ballot. The employee in charge of the poll-book shall immediately enter the voter's name and his register number, and at the same time the employee in charge of the college register shall enter therein the voter's number on the poll-book.

**METHOD OF
VOTING.**

The ballot shall be delivered to the voter so folded as to be not more than five inches wide and to entirely conceal the face of the ballot, while bringing into full view the endorsement on the back thereof and leaving room for the stamp of the college electoral board, which stamp shall be imprinted on the back of the ballot below the endorsement, immediately before delivery of the ballot to the voter.

On receipt of the ballot, the voter shall, without leaving the enclosed space, retire alone to a voting booth, and without delay mark his ballot. Before leaving the voting booth, he shall refold the ballot as nearly as he can in the form in which he received it and in such manner as to conceal the face and bring into view the endorsement and stamp on the back of the ballot. He shall then deliver the ballot so folded to the member of the board from whom he received it. The latter shall announce the voter's name and shall, in the presence of the voter, deposit the ballot,

without unfolding it, in the ballot box. The employees in charge of the poll-book and register shall at the same time make note in the proper columns in their respective books of the fact that the elector has voted, the register clerk authenticating his entry by his signature. The voter shall, immediately after his ballot has been deposited, quit the place inclosed within the guard rail.

No ballot without the official endorsement and stamp required by this law shall be deposited in the ballot box. No elector shall be permitted to enter a voting booth occupied by another, nor to occupy a voting booth for more than five minutes if other electors are waiting to occupy the same, nor to remain within the guard rail more than ten minutes, except for reasons foreign to his will.

When referendum ballots as well as ballots for public officials are to be voted at the same election, both ballots shall be delivered to the elector and returned by him at the same time for deposit in separate ballot boxes provided for that purpose in the polling place.

MARKING THE BALLOT.

Article 142.—Elector shall freely and secretly mark their ballots with an indelible pencil and in a voting booth.

In marking the ballot for the election of public officials, the following rules shall be observed:

(1) If the elector desires to vote the complete ticket of a party or independent group, he shall make a cross mark in the circle at the head of the ticket he desires to vote, and shall place no other mark upon the ballot.

(2) If the elector desires to vote a split or mixed ticket, he shall place the corresponding cross mark in the square printed to the left of the name of each candidate for whom he desires to vote and shall place no mark in any voting circle on the ballot.

(3) If the elector desires to vote for persons whose names are not printed on the ballot, he shall write the names of such persons in the *Blank Column*, under the titles of the proper offices.

(4) The elector shall limit his vote for each office to the number of persons to be elected thereto. For senatorial electors he may vote for only one-half the total number to be elected from among the larger

tax-payers and for one-half from among those who have not such character.

If the elector desires to vote affirmatively upon any question submitted *ad referendum* he shall make a cross mark in the square after the word "Yes" printed to the left of the question; and if he desires to vote in the negative, he shall make a similar mark in the square following the word "No" printed to the left of such question.

Marks other than those herein provided for shall not be placed upon an official ballot. One line crossing another, at any angle, within a circle or square, shall be deemed a proper indication of the voter's choice and the vote a valid one.

Article 143.—Any candidate, or any challenger designated pursuant to the provisions of article 136, or any election official, may challenge the electoral capacity of any person offering to vote. It shall be the duty of election officials to challenge any person offering to vote whom they know or have reasonable grounds to believe is unqualified or who has already voted, or concerning whose identity they entertain doubt. When any person has been challenged on any of the foregoing grounds, he shall not be permitted to vote until he shall have established his identity and his right to vote, or until the challenge be withdrawn. If the name claimed by the person challenged appears upon the college register, and he insists upon his right to vote, then any elector who is known to one or more members of the board and who expresses his willingness to vouch for the identity of the person challenged may do so, both the former and the latter subscribing, under oath or affirmation, the following declaration:

CHALLENGES.

Province of.....

Municipality of.....

Barrio of..... College No.....

I, the undersigned, being acquainted with the penalty provided by article 238 of the electoral law for perjury and being duly sworn (or affirmed) depose and say: that I am the person whose name appears at number..... on the register of this college; that I am a citizen of

Cuba; that I am over twenty-one years of age; that I have actually resided in this barrio since one month prior to this date; that I have resided in this province during the past six months, and in this municipality during the past three months; that I have not voted at this election; and that I am a legally registered elector entitled to vote in this college at this election.

.....
 (Signature of person
 challenged, or his name
 and mark witnessed by
 the signature of vouch-
 er).

.....
 (Signature of voucher, in
 case the person challeng-
 ed cannot sign).

.....
I, the undersigned, being acquainted with the penalty provided by article 238 of the electoral law for perjury, and being duly sworn (or affirmed) depose and say: that I know the person who executed the above oath (or affirmation) to be the identical person whose name appears at number..... of the register of this college; and that I believe him to be lawfully entitled to vote in this college and at this election.

.....
 (Signature of voucher).

.....
Subscribed and sworn to (or affirmed) before me by the said..... and..... this..... day of..... 190.....

.....
 President of college electoral board.

(Stamp of college
 board).

If the person challenged or his voucher should allege that he does not know the penalties provided in article 238 of this law, the president of the board shall inform him of the same before he makes the oath or affirmation.

If the person challenged and his voucher shall execute the foregoing oath or affirmation, the former shall be permitted to vote, but otherwise his vote shall be rejected. No person shall be permitted to act as voucher more than three times at any one polling place.

When the name of the person challenged does not appear upon the register, no entry shall be made on the poll book, but his offer to vote and the challenge shall be made of record in the minutes. When the name of the person challenged appears on the register, the name shall be entered on the poll book in the regular order, followed by a note in the column of remarks showing that his vote was challenged and rejected, or accepted upon oath or affirmation.

When for any reason a person whose name has been entered on the poll-book does not cast a ballot, that fact shall be noted in the proper columns in their respective books by both the poll and register clerks, the latter authenticating his entry by his signature.

When for any cause a person to whom an official ballot has been issued does not vote, he shall, before quitting the space within the guard rail, return such ballot to the election official from whom he received it, and the president of the board shall, over his signature, endorse on the back of such ballot the words "*Returned*" or "*Rejected upon challenge*", as the case may be.

Article 144.—Any elector who, from the record in the college register, appears to be unable to read and write, or who is physically disabled, shall, upon his request, be assisted in marking his ballot by two members of the college board or watchers, who shall be of different political affiliation, one of whom shall be selected by the voter and another by the president. Such members or watchers shall enter the voting booth with the voter, shall mark the ballot as directed by the voter, and shall thereafter give no information regarding the same. The employee in charge of the poll-book shall enter, after the name of such voter, a note to the effect that he had been so assisted, indicating, by their initials, the two members of the board or watchers who shall have rendered the assistance.

ASSISTANCE TO VOTERS.

Article 145.—When, pursuant to article 119 of this law, printed pasters shall have been furnished

PASTERS.

for the purpose of correcting official ballots, the college electoral board shall securely affix one of such pasters to each ballot, in the proper place; and it shall be the duty of the member in charge of the official ballots to verify such correction of each ballot before delivering the same to an intending voter.

**SAMPLE
BALLOTS.**

Article 146.—During the day, and at proportionate intervals of time, sample ballots shall be delivered to candidates, challengers, and electors situated without the guard rail.

**SPOILED
BALLOTS.**

Article 147.—Any voter who shall spoil, tear, deface or erroneously mark his official ballot may, on returning the same to the election official from whom he received it, secure another in place thereof; but no voter shall under any circumstances receive more than three official ballots.

EMPLOYEES.

Article 148.—Any person entitled to vote at any general or municipal election shall be entitled to absent himself from his place of employment on election day for a period of two hours between the hours of seven a. m. and six p. m., which period may be designated by his employer, to the end that he may vote at the proper polling place; and such voter shall not be liable to any penalty, nor shall any deduction be made from his wages or salary. Application for such absence shall be made to the competent chief, administrator or principal on the day prior to the election.

**POLICE
AND ARMED
FORCES.**

Article 149.—The Secretary of Government shall, upon requisition of the Central Electoral Board, place at the disposal of the said board such police forces as said board may deem necessary to insure the free exercise of the right of suffrage, the protection of election officials in the exercise of their duties, and the custody of election supplies and documents.

The Secretary of Government shall also give, concerning the disposition on election days of police forces which shall not have been requisitioned by the Central Electoral Board, such instructions as said board may suggest with a view to conserving the free and unrestricted exercise of the right of suffrage under the law.

Except as otherwise provided for in this law, no

police agent, of whatever grade, nor any member of the armed forces of the Republic, shall enter any polling-place or approach within twenty-five metres thereof during an election, or until after the college electoral board has signed and sealed its returns, unless called upon to do so by the president of such college electoral board for the purpose of suppressing what he deems a serious disturbance of order. Members of the police who are registered electors may individually enter the polling-place of the college wherein they are registered, for the sole purpose of casting their ballots, upon the completion of which they shall immediately withdraw beyond the limits of twenty-five meters above specified.

Article 150.—While the polls are open no persons, other than electors while awaiting an opportunity to cast their votes at the polling-place of the college to which they belong, shall, except as provided in article 136 of this law, congregate or remain in such polling-place or within twenty-five meters thereof.

DISTURBANCE AT POLLING PLACE.

Any person who shall make a disturbance, and who shall not upon being cautioned by the president of the college electoral board immediately desist from such disturbance, shall be expelled from the polling place by order of the president. The board may call upon any citizen present to aid in quelling such disturbance, or in expelling the disturber; and a prompt response to such call shall be obligatory. In case of serious disturbance the aid of the police or armed forces may be invoked by the president of the board.

Article 151.—At five and half-past five p. m. the president of the college electoral board shall announce aloud that the polls will be closed at six p. m. Promptly at the latter hour the delivery of official ballots shall cease, except as to electors then within the guard rail, who shall be permitted to vote. As soon as the last ballot thus delivered shall have been deposited, the president shall announce that "*the polls are closed*"; and the doors of the room where the polls are situated shall be closed, and there shall remain only the members of the board and its employees, the watchers and the challengers, and the candidates who desire to remain.

CLOSING THE POLLS.

CHAPTER XI.

SCRUTINY.

**BY WHOM
MADE.**

Article 152.—The scrutiny of the ballot in each college shall be made by the electoral board of such college.

TIME.

Article 153.—The polls having been closed, the scrutiny of the ballot shall be begun at once, the college electoral board continuing in permanent session until the scrutiny is completed, the result announced, and the returns and records placed under sealed cover for transmission to higher authority.

PLACE.

Article 154.—The scrutiny shall be carried on within the polling-place, from which all persons whose presence therein is not authorized by this law shall be excluded.

**BALLOTS
NOT VOTED.**

Article 155.—Before the ballot box is opened, all ballots remaining outside of the box shall be collected, grouped and counted, separate groups being made of those not used, those marked "*Returned*", and those marked "*Rejected upon challenge*". The aggregate thus obtained shall be added to the number of ballots cast as shown by the poll-book, and the resulting total checked with the whole number of blank ballots originally received by the board. Thereupon a separate package, under sealed cover, shall be made of each group above indicated.

**COUNT
OF BALLOTS
CAST.**

Article 156.—Immediately upon performance of the duty enjoined in the preceding article, the president shall proceed to take out and count, without unfolding, the ballots contained in the ballot box. The total shall first be compared with the number of ballots cast as shown by the poll-book, and then added to the number of ballots not voted, the aggregate being checked with the whole number of ballots received by the college electoral board before the election. The ballots taken from the box shall then be returned to the same, and the results of both checks noted in the minutes.

**CLASSIFI-
CATION.**

Article 157.—The ballots thus replaced shall next be taken from the box one by one and unfolded by the

president, who shall immediately announce, in a voice sufficiently loud to be heard by the members of the electoral board and other persons authorized by law to be present, the character of the vote contained in each ballot—as a “*straight ballot*”, where the elector’s choice is indicated solely by a cross in the voting circle beneath the emblem of a party or independent ticket; as a “*blank ballot*”, when the ballot has no mark whatever; and as a “*mixed ballot*” in all other cases. Each class of ballots shall then be separately grouped. The straight ballots shall next be classified by making a separate group for each party or independent ticket which may have been voted for on such ballots.

Article 158.—Tally sheets for the use of college electoral boards in counting the votes shall be printed in conformity with the following specifications:

**FORM
OF TALLY
SHEETS.**

The heading shall be “*Tally sheet of ballots Cast*”. Spaces shall be provided for the number of the college and the name of the barrio, after which shall appear the name of the municipality and province, and the designation of the election and the date thereof.

At the left of each sheet there shall be a column headed “*Offices*”, in which shall be printed the titles of all the offices appearing upon the official ballot.

To the right of such column there shall be as many major columns or divisions as there are upon the official ballot, to be distinguished from each other by the same names and to be arranged in the same order as upon the official ballot. Each such major column shall be subdivided into four columns, to be numbered respectively, from left to right, 1, 2, 3 and 4. Subdivision 1 shall be headed “*Names of candidates*”, and therein shall be printed, in the same order as upon the official ballot, the names of all the candidates appearing upon such ballot. Subdivision 2 shall be headed “*Number of votes cast and counted for each candidate on straight ballots*”. Subdivision 3 shall be headed “*Number of votes cast and counted for each candidate on mixed ballots*”. Subdivision 4 shall be headed “*Total number of votes cast and counted for each candidate*”.

In the last, the *blank column*, subdivision 2 shall be omitted.

The titles of the various offices for which can-

didates are to be chosen at the election shall be separated from each other by heavy lines running entirely across the sheet. Where two or more persons are to be elected to the same office, the names of the different candidates for each such office shall be separated from each other by light lines printed entirely across the sheet.

At the foot of each tally sheet the following shall be printed: "*(A) total number of ballots rejected as wholly blank..... (B) total number of ballots not wholly blank but rejected as otherwise void.....; (C) total number of ballots upon which votes were counted for any office.....; (D) total number of ballots found in the ballot box.....; (E) total number of ballots deposited as shown by the poll-book.....; (F) total excess, if any, of item "C" over item "E".*"

Immediately after the foregoing items the following certificate shall appear: "*This tally sheet contains a true exhibit of all the votes cast in this college for candidates for public office*".

The tally sheet herein provided shall be adjusted to the model inserted opposite this page.

THE COUNT.

Article 159.—The classification provided for in article 157 having been completed, each group of straight ballots shall be counted, and each candidate whose name appears thereon shall be credited with one vote for each ballot. Credit shall be given by entering upon the tally sheet, in the column provided for that purpose opposite each candidate's name, the total number of straight ballots cast upon which such candidate's name appears.

Each candidate who may have been voted for on a mixed ballot shall be credited with one vote on account of each such ballot upon which he has been designated by the elector. In this case entries shall be made upon the tally sheets by single marks arranged in blocks of five, as the ballots are read.

In case a person is voted for whose name is not printed on the official ballot, his name and the number of votes cast for him shall be entered in the *blank column* upon the tally sheet, under the title of the proper office.

All the ballots upon which any vote shall have been cast and counted having been recorded, the total vote for each candidate shall be entered in the col-

umns provided for that purpose pursuant to article 158 of this law. At the foot of the tally sheet shall be entered: (A) the total number of ballots rejected as wholly blank; (B) the total number of ballots not wholly blank but rejected as otherwise wholly void; (C) the total number of ballots upon which votes were counted for any office; (D) the total number of ballots found in the ballot box; (E) the total number of ballots deposited as shown by the poll-book; and (F) the total excess, if any, of item C over item E.

All entries shall be made simultaneously by the employees of the college board, upon each of the tally sheets to be made out. Each tally sheet shall be signed by the president and members of the college board, and shall bear the stamp of such board.

Article 160.—Where two or more ballots are folded together, so as to show that they were thus cast by one person, all shall be rejected, unless all but one shall be entirely blank, in which case the one ballot expressing a choice shall, if not otherwise defective, be held valid, the others being rejected.

**REASONS
FOR REJECTION.**

Ballots not official or not bearing the stamps required by this law shall likewise be rejected. Extraordinary ballots provided according to the provisions of this law shall likewise be counted the same as official ballots.

A ballot wherein more candidates have apparently been designated for a particular office than are to be chosen shall be rejected as to such office, but held valid as to other offices.

No ballot shall be rejected on account of blots or other like indications that some difficulty was experienced in preparing it, provided it is possible to determine with certainty the candidate for whom and the office for which the elector intended to cast his vote.

Whenever a ballot is rejected in whole or in part, the fact of such rejection and the reasons therefor shall be endorsed on the back of the ballot over the signature of the president, and noted in the minutes of the board.

Article 161.—Should any candidate, watcher or challenger be in doubt concerning the contents of a ballot when the same is being classified, or when it is

EXCEPTIONS.

being read and recorded, he shall upon request be permitted to examine the ballot in the presence of the college electoral board, and to indicate any exceptions he may desire to present. Such exceptions, as well as any further objection that may be presented during the course of the scrutiny or at the conclusion thereof, shall be decided by the electoral board, both the exceptions and the rulings thereon being entered in the minutes.

**EXCESS OF
BALLOTS.**

Article 162.—If the number of ballots upon which votes were counted exceeds the number of persons who actually cast their ballots in the college as shown by the poll-book, such fact and the amount of the excess shall be certified in the return.

RETURN.

Article 163.—The scrutiny having been completed, a return, grouped according to offices, shall be prepared in triplicate, showing the title of each office to be filled and the names of all persons who may have been candidates or who may have received votes for such offices, and setting forth, both in words and figures, the number of votes received by each candidate for each office. Such return shall also show, both in words and figures: (A) the total number of ballots rejected as wholly blank; (B) the total number of ballots not wholly blank but rejected on other legal grounds; (C) the total number of ballots upon which votes were counted for any office; (D) the total number of ballots found in the ballot box; (E) the total number of ballots deposited as shown by the poll-book, and (F) the total excess, if any, of item C over item E. The president and members of the college electoral board shall sign each sheet of such return, certifying that the same is complete and correct; and the stamp of the board shall be impressed upon each sheet. After being read aloud, one copy of this return shall at once be posted on the outside of the building in which the election was held. The other two copies shall be transmitted, under sealed cover, to the authorities hereinafter indicated.

The return above described shall be adjusted to the model inserted opposite this page.

**CERTIFICATION OF
RETURNS.**

Article 164.—Upon the request signed by any candidate, filed by him or in his name by any watcher or challenger before the returns and records of

(A) Total number of ballots rejected as
 office _____ (____)
 _____ (____)
 We hereby certify that this return of

the college are sealed, there shall be delivered to the bearer of such written request a certificate, signed by the president and members of the electoral board, showing the vote of the college for such office.

Article 165.—Before the ballot box is opened, the poll-book shall be compared with the college register upon which a record shall have been made opposite the names of persons voting or receiving official ballots. In case any error is discovered, the necessary correction shall be made and noted in the minutes. The poll-book shall thereupon be closed by appending thereto immediately after the last entry a certificate that such poll-book bears the names of all persons to whom official ballots were delivered; setting forth the total number of persons who actually cast their ballots in the college, and of persons who for any reason did not vote notwithstanding their names appearing on the poll-book; and certifying that all entries required by law have been legally made. Such statement shall be signed by the president and members of the board. The stamp of the board shall be impressed upon each page of the book used for recording the vote. (*Form No. 11*).

POLL BOOK.

Article 166.—The scrutiny of referendum ballots shall take place immediately after the scrutiny of the ballots cast for public officials. The ballot box containing referendum ballots shall not be unlocked until the scrutiny of such ballots begins, unless there is reason to believe that one or more ballots for public officials may by mistake have been deposited in the referendum ballot box, in which case they shall be taken therefrom, if found, and the box closed immediately.

**SCRUTINY
OF REFEREN-
DUM BAL-
LOTS.**

The scrutiny of referendum ballots shall be recorded on separate tally-sheets, and separate returns thereof made on blanks specially provided for the purpose.

Such tally sheets and returns shall be stamped, signed, posted on the bulletin boards, prepared for transmission, and transmitted as is prescribed by this law in case of the vote for public officials.

When the referendum vote is not held on the same date as a general or municipal election, the

scrutiny shall be effected in the manner provided by this article.

MINUTES.

Article 167.—The employees shall, under the direction of the college electoral board, prepare in duplicate complete minutes of all the transactions of the board, showing clearly each step in the proceedings from the first meeting of the board until the final adjournment. Such minutes shall show the nature and grounds of all protests, by whom made, the action of the board thereon, and the reasons for such action, all briefly stated. The time at which the polls were opened and at which they were closed, as well as the time of beginning and concluding the scrutiny, shall likewise be stated. The minutes shall be signed by the president and members of the board and bear the stamp thereof. One copy shall at once be posted on the outside of the building in which the election was held, and the other copy shall be transmitted to the superior authority hereinafter indicated.

RECORDS OF THE ELEC- TION.

Article 168.—The preparation of the return prescribed in article 163 of this law having been completed, three packages shall be made, containing, under sealed cover, the following papers: (1) the valid ballots, (2) those wholly rejected, and (3) the poll-book, the tally-sheets, the college register, one copy of the minutes of the electoral board, the written protests, exceptions, oaths or affirmations, tally sheets spoiled or not used, and all other papers and records pertaining to the college, except the return provided for in article 163. These three packages, together with the one containing the unused ballots, shall be made up into a single package, which shall be sealed and transmitted to the superior authority hereinafter indicated.

TRANSMIS- SION OF RE- CORDS AND RETURNS.

Article 169.—One copy of the returns provided for in articles 163 and 168 of this law shall be transmitted without delay to the secretary of the Provincial Electoral Board, and the other copy to the secretary of the Central Electoral Board, when a general

election is being held, and to the secretary of the Municipal Electoral Board in the case of municipal elections. The packages containing the papers referred to in article 168 of this law shall, with like promptness, be transmitted to the secretary of the Municipal Electoral Board, if a municipal election is in question, and to the secretary of the Provincial Electoral Board, in the case of a general election.

Article 170.—The transmission of the records and returns provided for in this chapter devolves upon the president of each college electoral board. The delivery shall be made in person when the receiving official resides in the same municipality; and in all other cases the packages or envelopes shall be transmitted by registered mail. In either case the official to whom delivery is made shall give a receipt specifying the packages delivered and the day and hour of delivery.

**BY WHOM
TRANSMITTED.**

Article 171.—Whenever in this or in the next succeeding chapter of this law it is provided that sealed packages or covers be made, it is understood that an itemized memorandum of the contents, signed by the president and members of the board, shall be written across the seal thereof. The stamp of the board shall likewise be imprinted across the seal. Numbers shall be indicated both in words and in figures.

**DESTI-
NATION OF
PACKAGES
AND DESCRIPTION OF THEIR
CONTENTS.**

The destination of each package, including the title of the official who is to receive it, shall be plainly written upon the back of the package in such manner as to be easily distinguished from the itemized memorandum of contents.

Article 172.—The employees of college electoral boards shall authenticate by their signatures each page of every document they may prepare—each authenticating his own work only.

**SIGNATURES
OF EMPLO-
YEEES.**

Article 173.—All the operations performed by the college board, from the closing of the polls until the documents mentioned in articles 168 *et sequentia*

**TIME FOR
COMPLETION.**

of this law are sent to the proper electoral board, shall not occupy more than twenty-four hours.

Upon such time having elapsed without having fulfilled its duty, the board shall be guilty of punishable negligence, unless the delay in sending the returns to the superior board has been malicious; in which case it shall have incurred more serious liability, according to the motives thereof or to the effects caused by such delay.

When owing to *force majeure* the board is unable to finish its labors in connection with the scrutiny within the twenty-four hours herein prescribed, it shall so immediately report to the Municipal Electoral Board, stating under oath or affirmation, the reasons causing the delay. The Municipal Electoral Board shall forthwith designate a responsible person or a member thereof, to go to the electoral college where the delay occurs, in order to ascertain the causes and their proofs, and who shall report in writing to the board regarding the truth or falsity of the reasons alleged by the college board in its explanation.

CHAPTER XII.

CANVASS OF RETURNS.

BY WHOM MADE.

Article 174.—The canvass of returns shall be in charge, respectively, of the proper Provincial or Municipal Electoral Boards, according as the elections are general or municipal.

TIME.

Article 175.—The canvass of the returns shall be begun within two days following that on which the election is held, and shall be terminated within a period of eight days in the case of municipal elections, and of fifteen days in the case of general elections.

If for any reason the canvass can not be terminated within the aforesaid period, the canvassing board shall request an extension from the Central Electoral Board, and the latter may grant the same after considering the cause of the delay.

SESSIONS AND WHO MAY BE PRE- SENT.

Article 176.—The sessions of the electoral boards engaged in canvassing the returns shall be held in the usual place of meeting of such boards, and the official

candidates and a delegate designated by each of the committees referred to in articles 96 and 97 of this law shall be permitted to be present. Such delegates may be substituted by the committees who appointed the same whenever they deem it advisable. The appointment, as well as the renewal, shall be made in writing, addressed to the president of the canvassing board.

Article 177.—The seals of packages or envelopes containing returns or other papers shall be broken only in the presence of the electoral board to which directed, when said board is convened in session. The condition of the covers and seals shall be noted in the minutes when the act of opening is recorded.

**OPENING OF
PACKAGES.**

Article 178.—The returns having been transmitted by the various colleges, a consolidated return shall be made of the vote for the entire municipality in the case of municipal elections, and for the entire province in all other cases. A computation of ballots returned by the college electoral boards, as shown by the memoranda on the covers of packages, shall likewise be made, and the result checked with the record of ballots distributed before the election by the board making the canvass. In the absence of a formal appeal from a resolution of the college board, presented directly to the canvassing board, the consolidated return shall be made up from the data contained in the college returns supplemented, if necessary, by the data contained in the minutes, tally sheets and other papers, except the ballots forwarded by the college electoral board. The packages containing ballots shall not, however, be opened.

MANNER.

Article 179.—For all offices to be filled by direct vote of the electorate, except those of municipal and provincial councilmen and representatives to Congress, the candidates receiving the greatest number of votes shall receive the certificate of election thereto, according to the provisions of article 194 of this law. Election to the offices above excepted shall be determined by the proportional canvass, and the certificate of election shall also be issued in accordance with the provisions of article 194.

**CANDIDATES
ELECTED.**

TIE VOTES.

Article 180.—When in any election to which the rules of the proportional canvass are not applicable, two or more candidates for the same office obtain an equal number of votes, the resulting tie shall be resolved in the following manner:

(1) When the tie is between candidates appearing on the same ticket, certificates of election shall be issued for the corresponding offices in the order in which the names appear upon the official ballot.

(2) When the tie is between candidates whose names appear upon different tickets, the result shall be determined by lot in the following manner: The names of the candidates so affected shall be written on separate cards. The president of the canvassing electoral board shall, in the presence of the members, but not of the secretary of the board, enclose each such card in a blank envelope, and seal the same. The envelopes and cards shall be identical in grade, form and appearance. The president shall next place all the envelopes thus prepared in a receptacle, and each member of the board shall successively, under the observation of the president, but not of the other members, shuffle the envelopes within the receptacle. The secretary shall immediately, in the presence of the board, draw the envelopes from the receptacle one by one, opening each envelope as it is drawn and writing upon the card it contains a serial number indicating the order in which the card was drawn. Certificates of election shall be issued to the proper number of candidates thus tied in the order in which the cards upon which their names appear were drawn.

PROPORTIONAL CANVASS OF THE VOTE FOR REPRESENTATIVES.

Article 181.—The result of the election for members of the house of representatives shall be determined in the following manner:

QUOTA OF REPRESENTATION

Section I.—The sum of all the votes cast for all the candidates for representative for a given term in any province shall be divided by the number of seats which such province is entitled to fill at the election for the term in question, and the quotient, disregarding fractions, shall be the *quota of representation*.

PARTY QUOTA.

Section II.—The sum of all the votes cast in the province for all the candidates of each party or inde-

Province of _____

TITLES OF OFFICES	NAMES OF CANDIDATES	No. received
For PRESIDENTIAL and VICE PRESIDENTIAL ELECTIONS.		
For Suburban Presidential and Vice Presidential Elections.		
For National Union League Elections.		
For Suburban Union League Elections.		
For Representation.		
For Political Section		
For Political Candidates.		

14. Total number of ballots rejected as void: _____ (D)

We hereby certify that this return is a true and correct statement of the results of the election.

For the said Election Board

pendent group for representative shall be severally divided by the *quota of representation*. The quotient will be the number of seats which each such party or independent group is entitled to fill as the result of the election. If the number of representatives elect thus arrived at be less than the number of seats to be filled, the party or independent group having the largest remainder after dividing its total vote by the *quota of representation* as herein specified, shall be entitled to one additional representative; and similarly the other parties or independent groups shall be entitled to the remaining seat or seats, up to the total to be elected, in the order of the size of their respective remainders.

Notwithstanding the foregoing provision, parties or independent groups, the candidates of which fail to receive a number of votes equal to or greater than the *quota of representation* shall not be entitled to any seats.

If one or more seats remain unfilled after carrying into effect the provisions of the first paragraph of this section, an additional seat shall be allotted to the party obtaining exactly the *quota of representation* without a remainder. If even then seats remain unfilled they shall be distributed in the form prescribed in paragraph first of this section, in the order of the size of the remainders.

In case the remainders are equal, the tie shall be resolved by the method provided in subdivision 2 of article 180 of this law.

(For an illustration of the operation of the foregoing rules as to representatives, see form No. 14 in the appendix).

Section III.—The candidates found elected under the foregoing rules shall receive certificates of election in which the number of votes received shall be expressed, without prejudice to the provisions of article 194 of this law.

**CANDIDATES
ELECTED.**

Section IV.—The candidates of a party or independent group who, because of not having been elected, should not have received the certificate of election referred to in the last preceding section, shall have the character of alternates of representatives elected

ALTERNATES.

within their own party or group, in the order of the vote which each receives; and certificates of their character as alternates shall be issued them, expressing therein the number of votes they receive.

Said alternates shall fill vacancies subject to the provisions of article 183 of this law.

TIE VOTES.

Section V.—In case two or more candidates on the same ticket shall have received the same number of votes, such candidates shall be considered elected representatives or alternates, as the case may be, in the order in which their names appear on the respective tickets upon the official ballot.

CANVASS FOR PROVINCIAL AND MUNICIPAL COUNCILMEN.

Article 182.—The rules for the proportional canvass for the election of representatives and their alternates laid down in the preceding article shall be applied to the vote of the province and of the municipality, respectively, for the election of provincial and municipal councilmen and their alternates.

(For an illustration of said rules as to provincial and municipal councilmen, see form No. 15 in the appendix).

PARTY AFFILIATION OF ALTERNATES.

Article 183.—Whenever an alternate shall become entitled to succeed to a seat in a representative body, under the provisions of section IV, article 181, of this law, the chairman, secretary or committee of the political party or independent group by which such alternate shall have been nominated, may file with the Central Electoral Board a properly grounded and substantiated objection that such alternate is no longer affiliated with the political party or independent group responsible for his candidacy. The objection must be filed within fifteen days after the occurrence of the vacancy, and shall be finally and irrevocably resolved by the Central Electoral Board within fifteen days after the same shall have been filed, the board taking care that the alternate in question shall have notice of the filing of the objection, so that he may, if he so elect, file an answer. The resolution of the Central Electoral Board shall be communicated without delay to the president of the representative body in question. If the Central Electoral Board decide that the objection was not well taken, the alternate in question shall at once succeed to the vacancy; but

CONSOLIDATED RETURN.—REFERENDUM.

Municipality of

Province of

Municipal Election. 190

The official returns of the vote cast upon questions submitted ad referendum at the municipal election held in this municipality on the day of, 190..., having been canvassed pursuant to the provisions of Chapter 12 of the Electoral Law, the result of the referendum is hereby declared to be as follows:

Proposition One.

(Here state the proposition in the same words as upon the ballot.)

For the proposition (.....) votes.

Against the proposition (.....) votes.

Total number of registered electors in the municipality (.....).

Two thirds of the registered electors of this municipality..... having voted affirmatively upon the proposition, the same is hereby declared

Proposition Two.

(Here state the proposition in the same words as upon the ballot).

For the proposition (.....) votes.

Against the proposition (.....) votes.

Total number of registered electors in the municipality (.....).

We hereby certify that the foregoing return is true and complete.

Done at, this day of 190....., at o'clock m.

.....
Member Municipal Electoral Board.

.....
Member Municipal Electoral Board.

.....
Secretary Municipal Electoral Board.

.....
President Municipal Electoral Board.

Posted at m., 190

.....
Secretary Municipal Electoral Board.

if the Central Electoral Board decide that the objection properly lay, the right of succession shall pass to the next alternate.

The provisions laid down in article 193 of this law shall apply to proceedings under this article, save in so far as appeals to the courts of justice are concerned.

All the provisions of this article shall be understood to be without prejudice to the prerogative vested in Congress by article 55 of the Constitution.

Article 184.—The canvass of the returns from the various colleges having been completed, the consolidated return provided for in article 178 of this law, as well as a return of candidates found to have been elected, shall be prepared in triplicate (*see model inserted opposite*), the president, secretary and members of the board making the canvass signing every page. Every copy of the return shall contain a certificate that the return is true and complete, shall show the day and hour of execution, and shall bear the stamp of the canvassing board. One copy of each of the said two returns shall at once be exposed on the bulletin board for a period of four days; another copy shall be sent, under sealed cover, without delay, to the president of the next superior electoral board; and the third copy of both returns shall be retained with the records of the electoral board making the canvass.

CONSOLIDATED RETURN; RETURN OF CANDIDATES ELECTED.

Article 185.—The returns of the vote of the various colleges upon any question submitted *ad referendum* shall be entered upon a consolidated return. Such return shall exhibit the total vote for each proposition, specifying the votes cast for and those cast against the same as well as the total number of registered electors entitled to vote; and shall contain a statement declaring each separate proposition either approved or rejected. If the required majority of the electors who cast their votes shall have voted in the affirmative, such proposition shall be held to have been approved; and otherwise to have been rejected, except as otherwise provided for special cases. Such consolidated returns shall be dated, certified as true, signed, stamped, posted, transmitted and filed as provided for in case of returns of the election of public officials.

CANVASS OF REFERENDUM BALLOTS.

The return above described shall be adjusted to the model inserted opposite this page.

**EXTRACTS
FROM RE-
TURNS.**

Article 186.—Upon the written request of any candidate there shall be delivered to him a certificate, signed by the president and the secretary of the electoral board making the canvass, showing the consolidated vote for the office for which the said petitioner was a candidate.

**NULLITY OF
ELECTIONS.**

Article 187.—When by reason of the excessive number of ballots or of the perpetration of election frauds disclosed in the course of the canvass, it shall, in the judgment of the canvassing board, be impossible to determine with certainty which candidates should be declared elected to a given office or what declaration should be made of the result of a *referendum*, the election, as to such office or as to such *referendum*, shall be set aside by the aforesaid board in the colleges wherein such cause for nullity appears, and a special election ordered therein, pending which election the final canvass of the returns, so far as the same will be affected by the special election, shall be suspended.

Such special election shall be proclaimed by the canvassing board on the day after the period for filing an appeal from the decision shall have expired, or after notice of a decision affirming such annulment shall have been served. The proclamation of such special election by a provincial board shall precede the election by twenty days, and the republication thereof, or the issue of an original proclamation, by the municipal boards shall precede such election by fifteen days. Interested political parties and independent groups of nominators shall, within twenty-four hours, make their designations for membership on the college boards; and three days after issuing its proclamation, the municipal board shall appoint the college boards and designate the necessary polling places. The official ballots shall conform to the form herein prescribed, but shall be limited to the offices and candidates or matters of *referendum* giving rise to the special election. The registration for the election at which the cause for the special election arose shall govern. As soon as the returns of such special elections shall reach the canvassing board, the suspended canvass shall be completed.

EXCEPTIONS.

Article 188.—Any person present at the canvass may, during the progress thereof, indicate to the can-

vassing board any exception to the proceedings that he may desire to present, and the board shall pass upon such exceptions as it may deem proper.

Article 189.—Against any resolution of a college electoral board any elector may present an appeal to the electoral board charged with canvassing the returns, and the latter board shall render a decision upon the appeal; but the appeal must be filed with the secretary of the canvassing board before such board shall have posted the consolidated return of the election in a public place.

**APPEALS
FROM COL-
LEGE BOARDS.**

Article 190.—Against any resolutions of a municipal or provincial electoral board sitting as a canvassing board, an appeal may be taken by any elector to the next superior electoral board. The appeal shall be filed with the secretary of the board appealed from before six p. m. of the third business day following the posting in a public place of the consolidated return and return of candidates elected. The secretary shall immediately post a notice of the filing of the appeal on the proper bulletin board. On the day following the expiration of the period above set, the board shall convene, and shall immediately serve notice of the filing of appeals upon the candidates in interest, such notice being served personally if the candidates in question are present at the meeting or otherwise by registered mail. To each appeal shall be attached a transcript of the resolution or resolutions appealed from, along with all the documents pertaining thereto on file in the office of the board and which may be necessary to resolve the appeal; and the whole transmitted by the secretary, under sealed and registered cover, to the secretary of the appellate board, together with a sworn certificate that proper notice of the appeal has been given in conformity with this law.

**APPEALS
FROM CAN-
VASSING
BOARDS.**

Not less than three nor more than five days after the receipt of the appeal, the electoral board having cognizance thereof shall convene for the purpose of resolving the same, and shall render decision thereupon within five days after the meeting. The decision shall at once be posted on the bulletin board provided for in article 44, section V, of this law. Every decision not appealed from pursuant to article 191 of this law shall, within twenty-four hours after the expiration of the period limited by said article for

filing an appeal to the courts, be transmitted for execution to the board below, together with all documents, assembled under sealed cover, that shall have been received from such board.

**APPEALS TO
THE COURTS.**

Article 191.—From any decision of the Central electoral board resolving appeals taken pursuant to the provisions of article 190 of this law, an appeal may be taken to the civil chamber of the Supreme Court; and from any decision of a Provincial Electoral Board resolving like appeals, an appeal may be taken to the civil chamber of the Audiencia of the corresponding province. Such appeals shall be filed with the secretary of the board against the action of which they are taken, before six p. m. of the third business day following the posting of the decision appealed from on the bulletin board. The secretary shall immediately post a notice of the filing of the appeal.

On the day following the expiration of the period for filing appeals pursuant to the provisions of the foregoing paragraph, the board appealed from shall convene, and shall immediately serve notice of the filing of the appeals upon the candidates whose rights may be affected thereby, such notice being served personally if the candidates in question are present at the meeting, or otherwise by registered mail. To each appeal shall then be attached a transcript of the resolution or resolutions appealed from, along with all documents in possession of the board and pertaining thereto, which may be necessary to resolve the appeal; and the whole, together with a certificate subscribed and sworn to by him that notice herein required has been served, under sealed cover, shall be delivered, in person and without delay, by the secretary of the board to the presiding justice of the civil chamber of the Supreme Court or of the Audiencia of the corresponding province.

The court having cognizance of the appeal shall at once fix a date for the hearing, which shall take place not less than three nor more than five days after the receipt of the appeal, notice of the hearing and the date and hour thereof being posted upon the edict board of the chamber, than which no other notice shall be required.

The hearing shall be had on the day and hour set therefor, and shall not be suspended on account

of the absence of interested parties or of their representatives. A final decision shall be rendered within twenty-four hours after the hearing is concluded, precedence being given over all matters pending before the court. The decision shall be irrevocable and, except as provided by article 55 of the Constitution, no appeal shall lie therefrom. The mandate of the court, with return of all papers, shall at once be communicated for execution through the electoral board against the action of which the appeal was taken, to the electoral board that canvassed the returns.

Upon receipt of a final decision of the appellate board or court, the canvassing board shall convene without delay, and shall prepare in triplicate a consolidated return and return of candidates elected, in conformity with the order of such appellate board or court. Said returns shall be dated, executed, posted, transmitted to superior authority, and filed with the records of the board, as provided in article 184 of this law for the original returns.

Article 192.—A judge or justice who shall, as president or member of an electoral board, have intervened in the decision of any matter pertaining to the administration of the electoral law, shall be inhibited cognizance of such matters when submitted to the courts upon appeal.

**CERTAIN
JUDGES DIS-
QUALIFIED.**

Article 193.—Every appeal taken under the provisions of this chapter shall be in writing, and shall specify the particular resolution or resolutions appealed against and the provisions of law which are considered infringed. It shall be subscribed and sworn to or affirmed by the appellant, and shall be accompanied by the documentary evidence upon which the appellant bases his contention. Evidence not within the control of the appellant shall be referred to in such manner that the appellate board or court may, within the time limit set by this law, be able to examine the same.

**APPEALS;
FORM, AU-
THENTICA-
TION, EVI-
DENCE, AN-
SWERS.**

All written documents, except those which are official, filed in support of such appeals shall be subscribed and sworn to or affirmed, unless such requirement is covered in the appeal itself, so that the oath or affirmation of the appellant shall guarantee the authenticity of the whole.

Answers filed in opposition to appeals taken un-

der the provisions of this chapter shall likewise be in writing, and shall be authenticated under oath or affirmation, as provided for in case of appeals. Such answer shall be filed with the appellate board or court at any time before the conclusion of the hearing. During the course of the proceedings new documents, duly authenticated as prescribed in this article, may be filed; but the cause or causes of action shall not be enlarged thereby.

**CERTIFI-
CATES OF
ELECTION.**

Article 194.—Certificates of election to municipal offices shall be issued by the Municipal Electoral Boards; and to all other offices filled by direct vote of the electorate, by the Provincial Electoral Boards.

Certificates of election shall be issued to the candidates duly elected:

(1) To offices not affected by appeals to the next superior electoral board, within the three days next following the expiration of the period for filing such appeals;

(2) To offices affected by appeals provided for in this chapter, within three days next following the receipt of the final decision rendered by the appellate board or court, as the case may be.

Every certificate of election shall show the place and date of issue, the designation and date of the election as the result of which it is issued, the name of the official elect, the number of votes he received, his plurality, the title of the office, the term thereof and his political affiliation.

Said certificate shall further set forth that the person to whom it is issued has been duly elected to the office named and for the term specified. It shall be authenticated by the signatures of the president, secretary and members of the proper electoral board, and shall bear the stamp of such board. (*Form Nos. 12 and 13*).

Delivery of certificates of election, not received and receipted for in person by the official elect at the office of the secretary of the electoral board, shall be made by registered mail.

**CERTIFI-
CATES OF
ELECTION TO
BE IN DUPLI-
CATE.**

Article 195.—A duplicate of each certificate of election shall be prepared at the same time as the original, and shall be transmitted, by registered mail, as follows:

(1) Those pertaining to municipal elections, to

the president of the corresponding ayuntamiento, for delivery to such ayuntamiento;

(2) Those pertaining to provincial offices, to the president of the corresponding provincial council, for delivery to such council;

(3) Those pertaining to representatives, to the president of the House of Representatives, for delivery to that body;

(4) Those pertaining to senatorial electors, to the president of the provincial council for delivery to the senatorial electoral assembly of the provinces, convened in session, as soon as the assembly shall have been provisionally organized;

(5) Those pertaining to delegates to a constitutional convention, to the president of the Central electoral board, for delivery to the constitutional convention, as soon as the convention shall have been provisionally organized; and,

(6) Those pertaining to presidential electors, to the governor of the corresponding province, for delivery to such electors, convened in session, as soon as they shall have formed a provisional organization.

Such certificates shall in each case be enclosed under sealed covers, addressed and endorsed to show destination and contents. Said covers shall be delivered, with seals unbroken, by the officials indicated, to the proper elective bodies, as provided in this article.

Article 196.—Except as provided for in article 55 of the Constitution, the right of an individual to enter upon an office specified in a certificate of election issued to him pursuant to article 194 of this law, shall not be denied or restricted administratively.

LEGAL EFFECT OF CERTIFICATES OF ELECTION.

Article 197.—Whenever a sealed package containing election records of returns is opened in the progress of the canvass or the appeals incident thereto, an itemized list of the contents shall be made and filed together with the sealed envelopes or covers.

OPENING SEALED PACKAGES.

Article 198.—With the return provided for in this chapter, each electoral board shall transmit a certified copy of the minutes of the meetings of the board while engaged in canvassing returns; and immediately after the certificates of election shall have been issued, a certified copy of the minutes of meetings

MINUTES.

held subsequent to the conclusion of the original canvass of the returns shall likewise be forwarded to the secretary of the next superior board by registered mail. Such minutes shall show in detail all proceedings had.

**PRESERVA-
TION OF BAL-
LOTS.**

Article 199.—Aside from the stamp and, in a proper case, the pasters prescribed in this law, no mark of any kind shall be put upon the face of an official ballot except by an intending voter in a voting-booth. Nor shall any mark of any kind, except the printed endorsement and stamp specifically provided for in this law or the written endorsement provided for in article 120 be placed upon the endorsement fold of an official ballot. Notations showing the return of a ballot or its rejection, as well as such as may be made during the scrutiny, or in the course of proceedings upon appeals interposed, shall be placed upon the back of the ballot outside of the endorsement fold, and shall be authenticated by the signature of the person making the notation.

Official ballots shall be carefully preserved by the canvassing electoral board for a period of eighteen months following the election at which they were used, after which they shall be destroyed by burning them in the presence of the board and its secretary.

**TRANSMIS-
SION OF REC-
ORDS.**

Article 200.—Notwithstanding provisions in this chapter in respect of the transmission of election documents by mail, the secretary of the proper electoral board may make such delivery in person, when it is to be made at an office located in the same municipality.

CHAPTER XIII.

ELECTION OF PRESIDENT AND VICE-PRESIDENT.

**MEETING
OF PRESIDEN-
TIAL AND
VICE-PRESI-
DENTIAL
ELECTORS.**

Article 201.—At ten a. m. of the tenth day of March next following their election, the presidential and vice-presidential electors chosen by each province shall meet in the session hall of the ayuntamiento of the capital of such province. Subsequent meetings shall be held in the same place.

Absent members shall be replaced by substitutes of the same political party in the order of the vote received by them.

Article 202.—The oldest elector present at the time and place specified in the last preceding article shall at once call the electors to order, shall read to them his own certificate of election, and shall preside over the assembly until a final organization shall have been effected.

**PROVISION-
AL ORGANI-
ZATION.**

The youngest and next youngest electors present shall next in like manner read their respective certificates of election and shall thereafter act as secretaries of the assembly until the final organization thereof.

The electors shall thereupon, by a majority of votes of those present and holding certificates of election, choose a committee of three on credentials. Such election shall be by ballot, and no elector may vote for more than two candidates. Before casting his ballot each elector shall exhibit his certificate of election to the presiding officer, without which requisite no one shall be permitted to vote. The members of the committee thus chosen shall read their respective certificates of election to the assembly, after which the governor of the province shall deliver to the committee, convened in session, the duplicate certificates of election transmitted to him pursuant to article 195 of this law.

The assembly shall then immediately fix a time for the next meeting, which meeting shall take place within forty-eight hours after the time specified in the last preceding article, and at which the committee on credentials shall render its report.

Article 203.—Each elector shall exhibit his certificate to the committee on credentials, in order that such certificate may be compared with the proper duplicate. The report of the said committee shall be prepared in duplicate, shall be based upon certificates of election, and shall be signed by all the members of the committee.

**CREDEN-
TIALS.**

Article 204.—At the session provided for in the concluding paragraph of article 202 of this law, and when the committee on credentials shall have submitted its report accompanied by the duplicate certificates of election, the assembly shall without delay adopt a final resolution in respect of such report, proclaiming the electors lawfully entitled to vote for president and vice-president of the Republic.

**FINAL OR-
GANIZATION.**

The electors shall next choose, by a majority of

votes, a chairman and two secretaries, the officials thus chosen at once assuming their duties as such. Votes shall be cast by ballot, and each elector may vote for but one secretary.

**ELECTION OF
PRESIDENT
AND VICE-
PRESIDENT.**

Article 205.—At ten a. m. of the fifteenth day of March next following their election, the presidential and vice-presidential electors shall convene for the purpose of voting for president and vice-president of the Republic. Should any elector whose place is being temporarily filled by a substitute pursuant to article 201 be present and in possession of a valid certificate of election, he shall be admitted to perform the duties of his office, to the exclusion of the substitute. Otherwise the substitute shall act.

The electors shall by ballot vote first for president of the Republic, and thereafter in a separate ballot for vice-president. The vote for both offices shall be concluded before midnight of the date specified in the preceding paragraph. Each elector shall have one vote on each of the two ballots, and shall on such ballot state clearly the name of the person voted for. The scrutiny of the vote for each office shall take place in the same session immediately after all the ballots for the office in question shall have been cast.

RETURN.

Article 206.—The scrutiny having been completed, the electors shall prepare and sign in triplicate a return of all the votes cast by them for president and vice-president of the Republic. Such return shall contain two distinct lists under proper titles—one list setting forth the name of each person who may have been voted for as president of the Republic, and the other setting forth the name of each person who may have been voted for as vice-president. The name of each person voted for shall be followed by a statement, expressed both in words and figures, showing the number of votes cast for such person. The return shall specify the hour at which the balloting took place and the time of executing the return, and shall contain a statement that the proceedings of the assembly were conducted according to law.

MINUTES.

Article 207.—The minutes of each meeting shall be prepared in triplicate, shall reflect all the proceedings of the assembly, shall name the electors and sub-

stitute electors present and voting, and shall be signed by the chairman and the secretaries who officiated at such meeting.

Article 208.—The records and returns of the electoral assembly shall, before the assembly finally adjourns after voting for president and vice-president of the Republic, be prepared in the following manner and transmitted to the functionaries indicated:

TRANSMISSION OF RECORDS AND RETURNS.

(1) One copy of the return, of the minutes, of the report of the committee on credentials, all the duplicate certificates of election, and all other papers submitted to the assembly and not otherwise provided for, made up in a single sealed package, to the president of the Senate at Havana;

(2) One copy of the return, of the minutes and of the report of the committee on credentials, made up in a single sealed package, to the president of the House of Representatives at Habana; and,

(3) One copy of the return, of the minutes, and of the report of the committee on credentials, made up into a single sealed package, to the president of the Central electoral board at Habana.

Said packages shall be transmitted by the chairman of the assembly, and across the seal of each package shall be plainly endorsed the contents thereof, followed by the signatures of the chairman and the secretaries. The destination of each package shall also be plainly endorsed on the cover.

In the case of Havana province the packages shall be delivered in person, and in all other cases they shall be forwarded by registered mail. In either case the packages shall be delivered or mailed within twenty-four hours after their preparation.

The packages addressed to the presiding officers of the Senate and House of Representatives shall, by these officials, be laid before the Congress of Cuba when assembled in joint session pursuant to article 58 of the Constitution, and then only may the seals be broken and the packages opened. The package addressed to the president of the Central Electoral Board shall, with seals unbroken, be deposited with the records of that board, there to remain unless demanded by the Congress acting under the aforesaid article of the Constitution.

**OBLIGATIONS
AND EMOLU-
MENTS.**

Article 209.—The office of presidential and vice-presidential elector and of their substitutes shall be obligatory; and attendance upon and voting at the prescribed meetings of such electors shall likewise be obligatory.

Electors and substitutes who reside outside of the municipality wherein the provincial capital is located shall be entitled to reimbursement of travel expenses at the rate allowed to civil officials of the first class as provided by law.

**CERTIFICATE
TO PROVIN-
CIAL TREAS-
URER.**

Article 210.—Immediately after the close of the last session of the electoral assembly, the president and secretaries thereof shall, over their signatures, certify to the provincial treasurer the name of each elector or substitute elector who may be entitled to the reimbursement provided for in the preceding article of this law. Such certificate shall specify the place of residence of each such elector or substitute, and the dates of the first and of the last meeting at which he was in attendance.

CHAPTER XIV.**ELECTION OF SENATORS.****CONVENTION
OF SENATOR-
IAL ELEC-
TORAL AS-
SEMBLY.**

Article 211.—At one p. m. of the one-hundredth day next following their election, the senatorial electors chosen by each province shall, together with the provincial councilmen then in office, meet at the capital of the province. This and subsequent meetings shall be held in the session hall of the provincial council, and shall be attended jointly by said councilmen and electors.

**PROVISION-
AL ORGANI-
ZATION.**

Article 212.—The president of the provincial council shall call to order the provincial councilmen and senatorial electors present at the time and place specified in the last preceding article. He shall read to them a list of the provincial councilmen in office on that day, certified by himself; and shall continue to preside over the assembly until its final organization. The two youngest senatorial electors shall read their respective certificates of election, and shall thereafter act as secretaries until the final organization of the electoral assembly.

The members of the assembly shall thereupon,

by ballots and by a majority of votes, choose from their own number a committee of three on credentials. Each senatorial elector shall exhibit his certificate of election to the presiding officer before casting his ballot, without which requisite he shall not be permitted to vote. Such members of the committee as shall have been chosen from among the senatorial electors shall next read their respective certificates of election, after which the president of the provincial council shall, in the presence of the assembly, deliver to the committee on credentials the duplicate certificates of election transmitted to him pursuant to article 195 of this law, as well as the certificate of the president of the council concerning the membership of said council.

The assembly shall then immediately fix a time for the next meeting, which shall take place within three days after the time specified in the preceding article of this law.

Article 213.—The senatorial electors shall exhibit their certificates of election to the committee on credentials, in order that the latter may compare such certificates with the proper duplicates. The report of the committee on credentials shall be prepared in duplicate, and shall be based upon certificates of election and upon the certificate issued by the president of the provincial council. Said report shall be signed by all the members of the committee.

CREDENTIAL.

Article 214.—At the time fixed pursuant to the concluding paragraph of article 212 of this law, the provincial councilmen and senatorial electors shall reconvene. The committee on credentials shall submit its report, accompanied by the duplicate certificates of election and by the certificate issued by the president of the provincial council. The assembly shall without delay adopt a final resolution concerning such report, naming in such resolution the provincial councilmen and the senatorial electors lawfully entitled to act in electing senators from the province.

FINAL ORGANIZATION.

The assembly shall next, by ballot and by majority of votes, choose one of its members to be president and two of its members to be secretaries, the officials thus chosen at once assuming their duties as such.

**ELECTION
OF SENATORS.**

Article 215.—The final organization having been completed, the senatorial electoral assembly shall proceed to elect, by ballot and by a majority of votes, the number of senators the province is then entitled to elect, pursuant to this law. In case senators are to be elected for terms of different length, those for the longer term shall be elected first. Each member of the assembly shall vote upon his ballot for as many candidates as there are senators to be elected for the term in question. The scrutiny of the vote for senators for any particular term shall be made by the electoral assembly convened in session immediately after ballots shall have been cast for senators for that term; and those who receive the largest number of votes shall be considered elected. When there is a tie vote and the corresponding number of senators can not be declared elected, a new vote shall immediately be taken for the offices unfilled, and if a tie again occurs a decision shall be reached by lot between the candidates tied in the last vote, following the procedure prescribed in article 180 of this law.

**CERTIFI-
CATES OF
ELECTION.**

Article 216.—The senatorial electoral assembly shall issue to each senator elect a certificate of election signed by the members taking part in the election. This certificate shall show the place and date of issue, the name of the senator elect, the number of votes he received, and the term of office; and shall contain a statement that the person to whom the certificate is issued has been duly elected a senator for the term specified.

Certificates of election not delivered to senators elect in person in the presence of the assembly shall be sent by the chairman of the assembly to the officials elect, by registered mail, within twenty-four hours after the adjournment of the assembly.

Certificates of election to seats in the Senate shall be prepared and signed in duplicate, the second copy of each to be disposed of as hereinafter indicated.

RETURN.

Article 217.—The members of the senatorial electoral assembly shall prepare and sign in triplicate a return of all votes cast by them for senator upon all the ballots taken, the result of each ballot being separately stated. Such return shall set forth the name of each person who may have been voted for as senator, followed on the next line by a statement, expressed both in words and in figures, of the number of

votes cast for each such person. Immediately after the record of each ballot there shall be a declaration naming the person or persons elected upon such ballot; and in case no one is elected, or upon any ballot the full number of senators is not elected, that fact shall likewise be declared. When senators are to be elected for different terms, there shall be a separate section in the return for each term—each section under an appropriate heading.

Article 218.—The minutes of each meeting shall be prepared in duplicate, shall reflect all the proceedings of the assembly, shall name the councilmen and the electors present and voting, and shall be signed by the presiding officer and the secretaries who officiated.

MINUTES.

Article 219.—Before the final adjournment of the senatorial electoral assembly the following records and returns shall be prepared in the manner and shall be directed to the functionaries indicated below:

TRANSMISSION OF RECORDS AND RETURNS.

(1) One copy of the minutes and of the report of the committee on credentials, all duplicate certificates of election as senatorial electors, the certificate of membership in the provincial council presented by the president of the council and a duplicate of each certificate of election issued by the assembly, along with all other papers not herein otherwise provided for, shall be directed, in a single sealed package, to the president of the Senate at Havana;

(2) One copy of the return, of the minutes and of the report of the committee on credentials shall be directed, in a single sealed package, to the president of the provincial council; and,

(3) One copy of the return shall at once be posted on the bulletin board of the provincial council.

Across the seal of each package shall be plainly endorsed the contents thereof, followed by the signatures of the president and the secretaries of the assembly. The package addressed to the president of the provincial council shall immediately be delivered to that official for deposit with the records of that body, there to remain with seals unbroken until called for by resolution of the Senate. The package addressed to the president of the Senate shall be forwarded to that official by the president of the electoral assembly within twenty-four hours after ad-

jourment. Delivery shall be made in person in the case of Habana province, and in the case of other provinces by registered mail.

QUORUM.

Article 220.—When lawfully convened, two-thirds of the number of members of the senatorial electoral assembly of the province shall constitute a quorum to hold sessions.

**OBLIGATIONS
AND EMOLU-
MENTS.**

Article 221.—The office of senatorial elector shall be obligatory; and attendance upon and voting at such meetings of the senatorial electoral assembly as are prescribed by law shall likewise be obligatory both upon provincial councilmen and senatorial electors.

Every senatorial elector who resides outside the municipality wherein the provincial capital is located shall be entitled to reimbursement of travel expenses at the rate allowed to civil officials of the first class as provided by law. This provision shall not apply to provincial councilmen.

**CERTIFICATE
TO PROVINCIAL
TREASURER.**

Article 222.—Immediately after the close of the last session of the senatorial electoral assembly, the president and secretaries thereof shall certify over their signatures to the provincial treasurer the name of each senatorial elector who may be entitled to reimbursement of travel expenses as provided for in the preceding article.

Such certificate shall specify the place of residence of each elector and the date of the first and of the last meeting at which he was in attendance.

**FILLING
VACANCIES.**

Article 223.—The senatorial electoral assembly when lawfully convened shall fill all vacancies then existing in the senatorial representation of the province in question, except for partial terms of less than one month.

When notice of a vacancy in the office of senator reaches the Central Electoral Board more than forty-five days before a general election at which senatorial electors will not regularly be chosen, such electoral board shall include the proper number of senatorial electors in that portion of the required election proclamation which pertains to the province in question, or shall if necessary immediately issue a supplementary proclamation giving notice of the election of such

senatorial electors, subordinate boards of the province republishing the proclamation without delay.

When two or more seats to which a province is entitled in the Senate shall be vacant, the Central Electoral Board shall, unless the next general election will take place within one year thereafter, proclaim a special election of senatorial electors in the province in question.

Senators elected pursuant to the provisions of this article shall take office for the unexpired terms as soon as they shall have received their certificates of election.

CHAPTER XV.

OFFENSES.—PENALTIES.

Article 224.—The following shall be punished by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by imprisonment of not less than three months nor more than one year, or by both penalties:

ILLEGAL REGISTRATION.

(1) Persons who register or attempt to register as electors, imaginary persons;

(2) Persons who register as qualified electors under names other than their own;

(3) Persons who cause or wilfully permit themselves to be registered as qualified electors more than once in the same barrio, or in two or more barrios for the same election;

(4) Persons who cause themselves or another to be registered as electors in any place, knowing that such place is not the proper one for such registration; or

(5) Persons who induce or aid another to commit any of the acts described in this article.

Article 225.—The following shall be punished by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by imprisonment of not less than three months nor more than one year, or by both penalties:

FRAUDULENT NOMINATIONS.

(1) Persons who sign other than their own names to a certificate of nomination;

(2) Persons who forge a certificate of nomination;

(3) Persons who sign a certificate of nomination and are not qualified electors of the political subdivision to which said certificate of nomination pertains:

(4) Persons who sign more than one certificate of nomination for the same office, unless those previously signed have been withdrawn or declared invalid;

(5) Persons who present a certificate of nomination, knowing that it bears any false signature, or that it is signed by any one not a qualified elector of the proper political subdivision, or that it is fraudulent in any part; or

(6) Persons who induce or aid another to commit any of the acts described in this article.

**ILLEGAL
VOTING.**

Article 226.—The following shall be punished by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by imprisonment of not less than three months nor more than one year, or by both penalties:

(1) Persons who vote without being entitled to vote;

(2) Persons who vote more than once at any one election;

(3) Persons who vote in more than one electoral college;

(4) Persons who cast two or more ballots;

(5) Persons who vote under names other than their own; or

(6) Persons who induce or aid another to commit any of the acts described in this article.

**BRIBERY
OF ELECTORS.**

Article 227.—The following shall be punished by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by imprisonment of not less than three months nor more than one year, or by both penalties:

Persons who, either directly or indirectly, proffer or promise to give, or give, directly or through the mediation of another, a present to any elector for the purpose of influencing him to vote for or against any particular proposition, candidate or group of candidates at an election.

**ELECTOR
SOLICITING
OR RECEIV-
ING BRIBE**

Article 228.—The following shall be punished by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by imprisonment of not less than three months nor more than one year, or by both penalties:

Electors who, directly or indirectly, solicit or re-

ceive a present as a consideration for voting for or against any particular proposition, candidate or group of candidates at an election.

Article 229.—The following shall be punished by a fine of not less than five hundred nor more than two thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both penalties:

(1) Persons who bribe or otherwise procure any person charged with an official duty under the electoral law to fail or refuse to perform such duty as required by law; or

(2) Persons who bribe or otherwise procure any person charged with an official duty under the electoral law to commit or permit the commission of any act in violation of said law.

**CORRUPTION
OF PUBLIC
OFFICIALS.**

Article 230.—The following shall be punished by a fine of not less than five hundred nor more than two thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both penalties:

Persons charged with an official duty under the electoral law who,

(1) Register or approve the registration of any person as an elector of any political subdivision, knowing that such person is not entitled thereto;

(2) Wilfully refuse to register or permit the registration of any elector lawfully entitled thereto;

(3) Finally admit for filing a certificate of nomination, knowing that the same or any part thereof is illegal or fraudulent;

(4) Refuse to admit for filing any certificate of nomination duly presented for admission in accordance with the provisions of this law;

(5) Place upon the official ballots prepared for any election, the name of any candidate that should not be placed upon the ballots;

(6) Refuse or neglect to place upon the official ballots prepared for any election the name of any candidate that should appear thereupon;

(7) Permit any person to vote, knowing that such vote should not be received;

(8) Deny to any person entitled thereto the right to vote;

**OFFICIAL
MISCONDUCT.**

- (9) Illegally add or permit another to add any ballot to those lawfully cast;
- (10) Abstract or permit another to abstract any ballot from those lawfully cast;
- (11) Place or permit another to place upon the poll-book the name of any person who has not voted;
- (12) Omit to place upon the poll-book the name of any person who has voted;
- (13) Make or permit another to make any fraudulent count, canvass or return of the ballots cast;
- (14) Sign a certificate of election for any person not entitled to such certificate;
- (15) Refuse or neglect to sign a certificate of election for any person lawfully entitled to the same;
- (16) Falsify, mutilate, destroy, suppress, abstract, or unlawfully dispose of the whole or any part of any list or register of electors or of larger taxpayers, certificate of nomination, ballot, poll-book, tally-sheet, return, certificate of election, or any other document or form required by this law;
- (17) Induce, aid or oblige another to commit any of the acts described in this article; or,
- (18) Solicit gifts or accede to the bribery referred to in article 229.

**INFRAC-
TIONS OF THE
LAW.**

Article 231. — Except as otherwise especially provided in other articles of this law, the following shall be punished by a fine of not less than thirty nor more than five hundred dollars or by imprisonment of not less than one month nor more than one year, or by both penalties:

- (1) Persons who fail to fulfill any of the duties or to exercise any of the functions enjoined by this law.
- (2) Persons who, without justifiable cause, abandon the office, commission or function enjoined by this law;
- (3) Persons who do not comply with the obligations or the duties that the law provides, within the time therein enjoined;

Should the delay be malicious and for the purpose of preparing for or cooperating in the commission of the offense specified in paragraph 13 of article 230, the delinquent shall incur the penalties provided for such offense in said article; or

(4) Persons who infringe or violate any other provision of this law otherwise than as provided in the other articles of this chapter.

Article 232.—Any person who, without lawful authority to do so, acts or assumes to act in the capacity of an official charged with any duty under this law, shall be punished by a fine of not less than five hundred nor more than two thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both penalties.

**UNLAWFUL-
LY ASSUMING
OFFICIAL
CHARACTER.**

Article 233.—The following shall be punished by a fine of not less than five hundred nor more than two thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both penalties:

**COERCION
BY POLICE
OR ARMED
FORCES.**

Individuals belonging to a police force, to the Rural Guard, to the Artillery Corps, or to any other armed force of the Republic, who use their official power to

(1) Intimidate or coerce any elector in the exercise of his rights as such elector;

(2) Interfere with the lawful exercise of the official duty enjoined upon any person or body by the Electoral Law; or

(3) Interfere in any manner with the lawful conduct of any election or the determination of the result thereof.

Article 234.—The following shall be punished by a fine of not less than five hundred nor more than two thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both penalties:

**COERCION
OR IMPROPER
USE OF IN-
FLUENCE BY
PUBLIC OF-
FICIALS OR
BY CANDI-
DATES FOR
PUBLIC OF-
FICE.**

Public officials or candidates for public office who—

(1) Offer, promise or agree, either directly or indirectly, to appoint or procure the appointment of any person to a public office or to a position of public employment as an inducement or consideration to such person or to another to vote for or against any candidate or group of candidates or not to vote at all;

(2) Offer, promise or agree, either directly or indirectly, to promote or to procure the promotion of any public official or employee, either in position or salary, for the purpose of influencing or control-

ling the action of such official or employee in the exercise of his electoral right; or,

(3) Threaten, promise or agree, either directly or indirectly, to remove or to reduce in category or salary or to procure the removal or reduction of any public official or employee, for the purpose mentioned in the preceding paragraph.

**INTIMIDA-
TION OR
COERCION BY
PRIVATE PER-
SONS.**

Article 235.—The following shall be punished by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by imprisonment of not less than three months nor more than one year, or by both penalties:

Private persons who, by means of force, fraud or threats.—

(1) Obstruct any elector in the act of voting, or in going to or returning from the polls;

(2) Intimidate or coerce any elector in the exercise of his rights as such elector;

(3) Unduly interfere with the exercise of the official duty enjoined upon any person or body by the Electoral Law; or,

(4) Without authority therefor, interfere with the lawful conduct of any election or the determination of the result thereof.

**COERCION
BY CHIEFS OR
EMPLOYERS.**

Article 236.—The following shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than six months, or by both penalties:

Persons having qualified electors in their employ or under their direction who—

(1) Deny any such elector an opportunity to present himself at the proper time or place to register or to vote;

(2) Discharge or threaten to discharge any such elector for freely exercising the right to register or to vote; or,

(3) Subject or threaten to subject any such elector to a penalty or to a reduction of wages for exercising the right to register or to vote.

**FALSIFICA-
TION, DES-
TRUCTION OR
ABSTRACTION
OF RECORDS.**

Article 237.—The following shall be punished by a fine of not less than five hundred nor more than two thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both penalties:

(1) Persons not public functionaries who falsify, destroy partially or totally, suppress, abstract or illegally dispose of the whole or a part of any list or register of electors or larger tax-payers, certificate of nomination, ballot, poll-book, tally-sheet, election return, certificate of election or any other paper or record required by this law, provided the offense is not otherwise penalized in this law; or,

(2) Induce, assist or force another to commit any of the offenses described in the preceding paragraph, if such inducement or assistance is not otherwise penalized in this chapter.

Article 238.—Any person who makes a false oath or affirmation in connection with any electoral act shall be guilty of perjury and shall be punished by a fine of not less than five hundred nor more than two thousand dollars, or by imprisonment of not less than six months nor more than two years, or by both penalties.

PERJURY.

Article 239.—The following shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than six months, or by both penalties:

OTHER OFFENSES.

(1) Persons who electioneer within 25 meters of any polling place on election day;

(2) Persons who, being members of any electoral board, electioneer on election day;

(3) Persons who display any political poster not provided for by law, within an electoral college;

(4) Persons who illegally remove any official ballot from a polling place;

(5) Persons who show their ballot during the preparation thereof, or after the same has been marked for voting, to any person so as to reveal the contents thereof; unless the purpose be to obtain the aid authorized by this law in the preparation of ballots;

(6) Persons who solicit a voter to show his ballot;

(7) Persons who place any mark upon a ballot, or make any indication on the same whereby it may be deduced that it carries the vote of any particular person;

(8) Persons who vote any ballot not duly received from a member of the college electoral board;

(9) Persons who, not being members of the col-

lege electoral board, receive from any elector a ballot prepared for voting;

(10) Persons who fail to return to the college electoral board, before leaving the polling place, any ballot not utilized;

(11) Persons who disobey any lawful direction of the Electoral Board;

(12) Persons who, in aiding a voter in the preparation of his ballot, fill the ballot in a manner different from the expressed desire of the voter, or, after aiding an elector, reveal the contents of his ballot;

(13) Persons who, not being authorized thereto, remove or in any manner alter the whole or part of any printed instructions to electors, lists or registers of qualified electors or larger tax-payers, election returns, or any other paper posted in a particular place pursuant to the provisions of the Electoral Law; or

(14) Persons who in any case not provided by law open any sealed package containing ballots, poll-books, tally-sheets, election returns, or any other papers required by this law.

**BLANKET
PROVISION.**

Article 240.—The following shall be punished by a fine of not more than two thousand dollars, or by imprisonment for not more than two years, or by both penalties:

(1) Persons who, not being charged with an official duty under the Electoral Law, commit any act in violation of said law, such act not being otherwise penalized in this chapter; or,

(2) Persons who wilfully procure another to commit any act in contravention of the Electoral Law not specifically penalized in this chapter.

**ACCESSORY
PENALTIES.**

Article 241.—Penalties imposed for electoral offenses may carry, as accessory penalties:

(1) Disqualification to exercise the functions of an elector for not less than one nor more than three years after the date of conviction; or

(2) Disqualification to hold any public office or position of public employment for not less than one nor more than three years after the date of conviction.

The imposition of these accessory penalties, shall

depend upon the discretion of the court, according to the gravity of the offense.

Article 242.—In cases of attempts to commit offenses or of frustrated offenses denounced and punished by this law, the punishment imposed shall not exceed one-half the maximum prescribed for the consummated offense; nor shall it be below one-half the minimum of such penalty in cases where such minimum is prescribed by this law.

**FRUSTRATED
OFFENSES.**

Article 243.—Failure to pay pecuniary penalties imposed under the provisions of this chapter shall carry personal subsidiary liability of one day of imprisonment for each three and one-third dollars not paid.

**FAILURE TO
PAY PECUN-
IARY PENAL-
TIES.**

Article 244.—The cognizance and resolution of causes instituted for electoral offenses shall be of the exclusive jurisdiction of the respective courts of examination and audiencias, and, in a proper case, of the Supreme Court.

**JURISDIC-
TION OF
COURTS.**

Article 245.—The penal action arising from electoral offenses is public, and shall prescribe one year after the commission of the offense.

**PRESCRIP-
TION.**

Article 246.—Judges and courts when taking cognizance of electoral offenses shall apply the general principles of the Penal Code, in so far as they do not conflict with the special provisions of this law.

**PRINCIPLES
OF PENAL
CODE.**

CHAPTER XVI.

TRANSITORY PROVISIONS

Article 247.—The initial permanent electoral register for each municipality shall be prepared by the director of the census of September 30, 1907. The contents and general form of this register shall conform to the provisions of this law. The certificate required by the third paragraph of article 71 of this law shall be signed by the director of the census; and every page shall bear the signature of the assistant director.

**INITIAL
ELECTORAL
REGISTERS.**

Initial electoral registers thus prepared shall be delivered to the Central Electoral Board, which shall

transmit each register under sealed cover, through the proper Provincial Electoral Board, to the president of the Municipal Electoral Board to which such register pertains.

This electoral register shall, until after the first correction thereof pursuant to this law, be deemed to be the permanent register formed for the last preceding election in the municipality to which it pertains, as specified in this law.

The initial card register for each province, arranged as prescribed in article 90 of this law, shall likewise be prepared by the director of the census of September 30, 1907.

Such card registers shall be transmitted, through the Central Electoral Board, to the presidents of the proper Provincial Electoral Boards.

With the card register for each province the director of the census shall enclose his certificate setting forth, by municipalities and barrios, the number of cards transmitted and that in each case the card register and the initial registers prepared in book form for the municipalities are identical in the number and in the substance of the inscriptions.

POLITICAL MEMBERS.

Article 248.—For the first elections to be held under this law, it shall be competent to increase the number of political members of the Central Electoral Board and of each of the Provincial and Municipal Electoral Boards to three, representing different political parties. The political members of the Central and Provincial Electoral Boards and their substitutes shall be appointed and vacancies filled in such offices by the Provisional Governor; the political members of Municipal Electoral Boards and their substitutes shall be appointed and vacancies in such offices filled by the parties representative on the proper Provincial Electoral Board, in accordance with paragraph 2 of Article 19 of this law. Persons thus appointed shall have the qualifications required by this law for the offices in question, and the three political members of each electoral board shall always represent different political parties.

Should it occur through fusion of parties or otherwise that a single party has more than one representative on any particular electoral board, the membership thereon of such party shall be reduced to one by the Provisional Governor, first hearing the proper

committee of the political party whose membership it is proposed to reduce.

Article 249.—Political parties accorded representation on the Central and Provincial Electoral Boards under the preceding article shall have all the rights accorded political parties under the terms of this law.

**NOMINA-
TIONS.**

Article 250.—The Provisional Governor shall, by means of one or more decrees, enact such provisions as he may deem proper for the first elections to be held under this law, both for municipal and provincial offices and for the offices of president, vice-president, senator, and representative, in respect both of the proclamation and date thereof, as also of any other matter pertaining to the aforesaid offices.

**DECREES BY
THE PROVI-
SIONAL GOV-
ERNOR.**

In the event that the Provisional Governor should direct the holding of municipal and provincial elections simultaneously, when they are held for the first time after this law goes into effect, it shall be understood that the committee designated in accordance with the provisions of articles 96 and 97, in the nominations of candidates submitted to the Provincial Electoral Board, shall have the powers granted by law to such committees, excepting that of designating members for the electoral colleges and their substitutes, in accordance with article 51, and said power shall be vested in the committees designated in the nominations submitted to the municipal electoral boards with reference to the respective municipal districts.

CHAPTER XVII

FINAL PROVISIONS

Article 251.—The electoral law of December 25, 1903, and laws amending the same, and all laws and provisions relating to electoral matters in conflict with this law, are hereby repealed.

**CONFLICT-
ING LAWS.**

Article 252.—This law shall take effect upon the date of its publication in the *Official Gazette* of the Republic.

**WHEN EF-
FECTIVE.**

CHARLES E. MAGOON,
Provisional Governor.

APPENDIX

FORMS

(Form No. 1; art. 30).

**CERTIFICATES OF DESIGNATION OF MEMBERS
OF PERMANENT ELECTORAL BOARDS.**

TO THE PRESIDENT OF THE CENTRAL ELECTORAL BOARD,

Havana.

I,....., Dean of the Faculty of Law of the University of Habana, do hereby certify:

**OF PROFESSOR
EX-OFFICIO MEMBER
OF THE CENTRAL
ELECTORAL BOARD**

That, at a special session of the said Faculty, held for that purpose on....., and at which..... of the..... members that constitute that body were present and voted, Dr....., a member of the said Faculty, was chosen by majority vote to serve as *ex-officio* member of the Central Electoral Board for the term ending.....; and,

That, at the same session and in like manner, Dr....., also a member of the aforesaid Faculty, was chosen as substitute of the said Dr....., for the same term.

Done in the city of Havana, this..... day of.....

.....
Dean of the Faculty of Law,
University of Havana.

**OF POLITICAL MEMBER
OF THE CENTRAL ELECTORAL BOARD**

TO THE PRESIDENT OF THE CENTRAL ELECTORAL BOARD,

Havana.

I,..... President of the National Assembly (Convention or Committee) of the..... party, a duly organized political party that polled the highest (or next highest) vote for representatives at the last preceding general election, do hereby certify:

That, at a session of the said Assembly (Convention or Committee), held on....., at its usual place of meeting in the city of....., Mr..... was chosen to represent said party as member of the Central Electoral Board for the term ending.....;

That said..... has been, prior to this designation, *, and is otherwise qualified for the office in question;

That, at the same session and in like manner, Mr..... was chosen to act as substitute of the said....., for the same term;

That the said..... has been, prior to this designation, * and is otherwise qualified for the office in question; and,

That the aforesaid designations were made in strict accord with the existing by-laws of the..... party.

Done in the city of....., this..... day..... of.....

(Attest)..... (Signed).....

Secretary President
of the National Assembly
(Convention or Committee) of the
Party.

(* a senator, or a representative, or an associate justice, or the dean or president of the College of Lawyers, or the rector or a professor of the University of Havana, or a lawyer of more than five years practice).

TO THE PRESIDENT OF THE PROVINCIAL
ELECTORAL BOARD,

OF PROFESSOR
EX-OFFICIO MEMBER
OF PROVINCIAL
ELECTORAL
BOARDS.

Province of.....

I,....., Director of the Institute of Secondary Instruction of the Province of.....
..... do hereby certify:

That, at a special session of the faculty of said Institute, held for that purpose on....., and at which..... of the..... members that constitute said faculty were present and voted, Dr....., a member of the said faculty, was chosen by majority vote as *ex-officio* member of the Provincial Electoral Board of the province of..... for the term ending.....; and

That, at the same session and in like manner, Dr....., also a member of the said faculty, was designated to act as substitute of the said Dr..... for the same term.

Done in the city of....., this.....
..... day of.....,

.....
Director of the Institute of
Secondary Instruction,
Province of.....

**OF POLITICAL MEMBER
OF PROVINCIAL ELECTORAL
BOARDS.**

TO THE PRESIDENT OF THE PROVINCIAL

ELECTORAL BOARD,

Province of.....

I,....., President of the
..... Assembly (Convention or Committee) of the..... party, a duly organized political party that polled within the province of..... the highest (or next highest) vote for representatives at the last preceding general election, do hereby certify:

That at a session of the said Assembly (Convention or Committee), held on....., at its usual place of meeting in the city of....., Mr..... was chosen to represent said party as member of the Provincial Electoral Board of the province of..... for the term ending.....;

That, at the same session and in like manner, Mr..... was chosen to act as substitute of the said....., for the same term; and

That the said..... and..... are Cubans by birth (or naturalization), are able to read and write, are in the full enjoyment of all civil and political rights, and have attained the age of twenty-five years and are otherwise qualified for the offices in question; and

That the aforesaid designations were made in strict accord with the existing by-laws of the..... party.

Done in the city of....., this..... day of.....,

(Attest)..... (Signed).....

Secretary

President

of the
Assembly of the
. Party.

* TO THE SECRETARY OF THE PROVINCIAL
ELECTORAL BOARD,

OF PRESI-
DENT OF THE
MUNICIPAL
ELECTORAL
BOARD.

Province of.....

I,....., President of the
Audiencia of....., do hereby certify that,
acting under the authority and pursuant to the pro-
visions of article 19 of the Electoral Law, I have
chosen Mr..... to serve the
office of President of the Municipal Electoral Board
of the municipality of..... province
of....., for the term ending.....
.....;

That the said..... is +.....
....., and, to the best of my knowledge and
according to his own statements and other informa-
tion in my possession, professes no political affiliation
nor is identified with any political party or body,
and is otherwise qualified for the office in question;
That I have similarly chosen Mr.....
....., to serve, for the same term, as substitute of
the said.....; and

That the said..... is.....
....., and, to the best of my knowledge and
according to his own statements and other informa-
tion in my possession, professes no political affiliation
nor is identified with any political party or body,
and is otherwise qualified for the office in question.

Done in the city of....., this.....
..... day of.....

(Signed).....

President of the Audiencia
of

(* In the case of an organized municipal electoral
board a similar certificate is to be directed to the
secretary thereof.

+..... judge of first instance or of
examination of said municipality, or judge, ex-
judge, substitute judge or former substitute judge
of the municipal court of the said municipality, or
—in default of such persons available for appoint-
ment—a citizen of high standing and consideration
in said municipality).

**OF POLITICAL MEMBER
OF MUNICIPAL
ELECTORAL BOARD.**

TO THE PRESIDENT OF THE PROVINCIAL
ELECTORAL BOARD,

Province of.....

I,....., do hereby certify:

That, as a political member of the Provincial Electoral Board of the province of....., and acting under the authority and pursuant to the provisions of article 27 of the Electoral Law, I have chosen Mr..... to represent upon the Municipal Electoral Board of the Municipality of..... for the term ending....., the..... party, which I represent upon this Provincial Electoral Board;

That I have similarly chosen Mr..... to serve, for the same term, as substitute of the said.....; and

That the said..... and..... are both electors of the municipality of..... and have attained the age of twenty-five years.

Done in the city of....., this..... day of.....

(Signed).....

Member of the Provincial
Electoral Board,
Province of

(Form No. 2; art. 54).

**CERTIFICATE OF APPOINTMENT TO COLLEGE
BOARDS.**

Municipal Electoral Board.

Municipality of _____ Province of _____

This is to certify that by resolution adopted on the _____ day of _____ 190____, the electoral board above named has appointed _____ (* _____) to be _____ of the electoral board of college No. _____, barrio of _____, municipality of _____, Province of _____, for the _____ election to be held by said college at _____ on the _____ day of _____ 190____; that in like manner _____ (* _____) has been appointed substitute _____ of said college board, with the authority and the obligation to serve in place of the aforesaid _____ in case said _____ shall be absent.

Done this _____ day of _____ 190____

Member Municipal Electoral Board.

Secretary Municipal Electoral Board.

Member Municipal Electoral Board.

President Municipal Electoral Board.

* (In the space immediately following that allotted to the name of appointee, there will be indicated either his nonpartisan character or his political affiliation, as the case may be. The certificate issued to the substitute employee shall bear the names of both of the principals for whom he may be called upon to act.)

(Form No. 3; art. 54).

CERTIFICATE OF APPOINTMENT AS WATCHERS.**Municipal Electoral Board.****Municipality of** _____ **Province of** _____

This is to certify that by resolution adopted on the _____ day of _____ 190____, the electoral board above named has appointed _____ a watcher to represent the _____ party (or independent group of nominators) in college No. _____, barrio of _____, municipality of _____, province of _____, during the election to be held at said college at _____, on the _____ day of _____ 190____, said _____ party (or independent group) not being otherwise represented upon the electoral board of said college.

Done this _____ day of _____ 190____

Member Municipal Electoral Board._____
Member Municipal Electoral Board._____
Secretary Municipal Electoral Board._____
President Municipal Electoral Board.

(Form No. 4; art. 81).

**CERTIFICATE AND ANNOUNCEMENT ON POSTED
COPIES OF PROVISIONAL REGISTERS.**

We hereby certify that the above and foregoing list of..... (consisting of..... pages numbered consecutively from..... to.....) is a true copy of the subsection of..... of that section of the provisional electoral register of the municipality of....., province of....., formed for the barrio of..... since the last preceding election.

Notice is hereby given that the electoral board of the municipality last above named will convene in the session hall of the ayuntamiento at 8.00 a. m. on....., the..... day of....., 190....., said day being the thirtieth day preceding the date of the next election. At said meeting of the Municipal Electoral Board any citizen may in writing prefer any petition relating to the right of registration, the petition being supported by relevant written evidence and authenticated as provided in article 87 of the Electoral Law.

Done in the municipality of....., province of....., this..... day of..... 190.....

.....
Secretary Municipal Electoral Board.

.....
President Municipal Electoral Board.

(Form No. 5; art. 85).

CLOSING ENTRY ON PROVISIONAL REGISTER.

We hereby certify that the foregoing subsection of..... (consisting of..... pages numbered consecutively from..... to.....), formed for the barrio of..... municipality of....., province of....., since the last preceding closing entry therein, contains..... (.....) inscriptions, numbered consecutively from..... to.....; that all the entries prescribed by law have been made in legal form; and that said subsection is closed.

Done this..... day of..... 190.....

.....
Member Municipal Electoral Board.

.....
Secretary Municipal Electoral Board.

.....
Member Municipal Electoral Board.

.....
President Municipal Electoral Board.

(Form No. 6; art. 86).

**CLOSING ENTRY IN PERMANENT ELECTORAL
REGISTERS.**

We hereby certify that since the last preceding closing entry made in the foregoing permanent electoral register of the barrio of....., municipality of....., province of....., (.....) inscriptions theretofore made in said register have been cancelled; that during the same period..... (.....) new inscriptions have been entered in the register of said barrio; that the total number of names of registered electors now standing uncanceled in the register of said barrio is..... (.....); that all entries and cancellations required by law have been made in legal form; and that this register is closed.

Done this..... day of..... 190....

.....
Member Municipal Electoral Board.

.....
Secretary Municipal Electoral Board.

.....
Member Municipal Electoral Board.

.....
President Municipal Electoral Board.

(Form No. 7; art. 88).

CERTIFICATE AT END OF COLLEGE REGISTERS.

We hereby certify that the foregoing college register, consisting of..... pages numbered consecutively from 1 to....., contains the names of..... (.....) registered electors assigned to college No..... barrio of....., municipality of....., province of....., for the election to be held on the..... day of..... 190....; that said college register contains the name of every elector lawfully entitled to be inscribed therein; and that all entries in said register are lawful entries.

Done this..... day of..... 190....

.....
Member Municipal Electoral Board.

.....
Secretary Municipal Electoral Board.

.....
Member Municipal Electoral Board.

.....
President Municipal Electoral Board.

(Form No. 8; art. 96).

PARTY CERTIFICATE OF NOMINATION.

General Elections

TO THE PROVINCIAL ELECTORAL BOARD,

Province of.....

We, the undersigned, hereby certify:

(1) That at a competent convention or assembly of delegates held at..... on..... 190____, the..... party of the province of....., a political party which at the last preceding general election polled four per cent of the total number of votes cast in the province for the office of representative, the following persons were nominated for the following offices to be filled in the province of....., at the general election to be held..... 190____:

For Presidential and Vice Presidential Electors

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

* * * * *

For Substitute Presidential and Vice Presidential Electors

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

* Signatures of Presiding Officer and Secretary witnessed by:

.....
Signature of Presiding Officer
of Convention.

.....
Signature of official administering
the oath.

.....
Signature of Secretary
of Convention.

For Senatorial Electors, larger taxpayers

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Senatorial Electors, not larger taxpayers

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Representatives, for Full Term ending

.....190 (.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Representatives, for Short Term ending

.....190 (.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Provincial Councilmen, for full term ending

.....190.....

Name..... Residence.....

* * * * *

Name..... Residence.....

*** Signatures of Presiding Officer and Secretary witnessed by:**.....
Signature of Presiding Officer
of Convention......
Signature of official administering
the oath......
Signature of Secretary
of Convention.

For Provincial Councilmen, for short term ending

_____ 190_____

Name_____ Residence_____

* * * * *

Name_____ Residence_____

For Provincial Governor, for Term ending

_____ 190____ (1),

Name_____ Residence_____

(2) That said convention or assembly endorsed

For President,

Name_____ Residence_____

For Vice President,

Name_____ Residence_____

(3) That said convention or assembly selected as a sign to distinguish the ticket of the party, the emblem shown in the following representation_____

(4) That said convention or assembly appointed the following committee to represent the party for the purposes specified in articles 101 and 102 of the Electoral Law:

Name_____ Chairman. Residence_____

Name_____ Residence_____

Name_____ Residence_____

Presiding Officer of Convention.

Residence_____

Secretary of Convention.

Residence_____

Signatures of Presiding Officer and Secretary witnessed by:

(Signature of official administering the oath.)

Municipality of.....

Province of.....

We, the undersigned, being first duly sworn (or affirmed), on oath (or affirmation) severally depose and say: that the said..... was the presiding officer of the convention or assembly of delegates referred to in the foregoing certificate of nomination; that the said..... was the secretary of such convention; and that the aforesaid certificate, consisting of..... pages numbered consecutively from 1 to....., and the statements therein contained are true.

.....
Signature of Presiding Officer
of Convention.

.....
Signature of Secretary
of Convention.

Subscribed in my presenec and sworn to (or affirmed) before me by the said..... and the said....., in the municipality of....., province of..... this..... day of..... 190.....

.....
Signature and title of official
administering the oath.

.....
(Seal of official administering
the oath.)

* (When the certificate requires more than one sheet, the several sheets will be securely bound together. Each page will be authenticated by the signature of the presiding officer and of the secretary of the convention, witnessed by the signature of the official administering the oath.)

(Form No. 9; art. 97).

INDEPENDENT CERTIFICATE OF NOMINATION.

General Elections

TO THE PROVINCIAL ELECTORAL BOARD,

Province of.....

We, the undersigned, each of whom declares himself to be a duly registered elector of the province of....., hereby propose the following nominations for offices to be filled in the province of....., at the general election to be held on..... 190.....:

For Presidential and Vice Presidential Electors

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For substitute Presidential and Vice Presidential Electors

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Senatorial Electors, larger taxpayers

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

* Affiant's signature witnessed by:

.....
Signature of Affiant.

.....
Signature of official administering
the oath.

For Senatorial Electors, not larger taxpayers.

(.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Representatives, for Full Term ending

..... 190 (.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Representatives, for Short Term ending

..... 190 (.....),

Name..... Residence.....

* * * * *

Name..... Residence.....

For Provincial Governor, for Full Term ending

..... 190 (1),

Name..... Residence.....

For Provincial Councilmen for Full Term ending

Name..... Residence.....

* * * * *

Name..... Residence.....

*** Affiant's signature witnessed by:**.....
Signature of Affiant......
Signature of official administering
the oath.

For Provincial Councilmen, for Short Term ending

Name..... Residence.....

* * * * *

Name..... Residence.....

We hereby endorse

For President,

Name..... Residence.....

For Vice President,

Name..... Residence.....

We hereby select, for the purpose of distinguishing the ticket to be composed of the candidates above proposed, (1) the following name,.....; and (2) the emblem shown in the following representation.....

And we appoint the following committee to represent the signers of this certificate for the purposes specified in articles 101 and 102 of the Electoral Law:

Name..... Chairman. Residence.....

Name..... Residence.....

Name..... Residence.....

Signature of each nominator, or his name and mark when he cannot write.

.....

Signature of the elector who writes the name and witnesses the mark of an illiterate nominator.

.....

* Affiant's signature witnessed by:

.....
Signature of Affiant.

.....
Signature of official administering the oath.

Municipality of.....

Province of.....

I, the undersigned, being first duly sworn (or affirmed) on oath (or affirmation) depose and say: that I am a registered elector of the municipality of..... province of.....; that I personally witnessed the affixing of each signature and each mark appearing upon the foregoing certificate of nomination, consisting of..... pages numbered consecutively from 1 to.....; that each such signature and each such mark is the genuine signature or mark of the nominator it purports to represent; and that each one of the..... (.....) nominators whose signature or mark appears above is a registered elector of the barrio and municipality above specified.

.....
Signature of Affiant.

Subscribed in my presence and sworn to (or affirmed) before me by the said....., in the municipality of....., province of..... this..... day of..... 190.....

.....
(Seal of official administering the oath.)

.....
Signature and title of official administering the oath.

* (When the certificate requires more than one sheet, the several sheets will be securely bound together. Each page will be authenticated by the signature of the affiant, witnessed by the signature of the official administering the oath.)

(Form No. 9a, art. 96).

PARTY CERTIFICATE OF NOMINATION

Municipal Elections.

TO THE MUNICIPAL ELECTORAL BOARD,

Municipality of.....

We, the undersigned, hereby certify:

(1) That a competent convention or assembly of delegates held at..... on.....190____, the..... party of the municipality of..... a political party which at the last preceding general election polled two per cent of the total number of votes cast in the municipality for the office of councilman, the following persons were nominated for the following offices to be filled in the municipality ofat the municipal election to be held 190....:

For Municipal Mayor, for full term ending

.....190.... (.....)

Name..... Residence.....

For Municipal Councilmen, for full term ending:

.....190.... (.....)

Name..... Residence.....

* * * * *

Name..... Residence.....

* Affiant's signature witnessed by:

.....
Signature of Affiant.

.....
Signature of official administering
the oath.

For Municipal Councilmen, for short term ending

.....190.... (.....)

Name..... Residence.....,

* * * * *

Name..... Residence.....

(2) That said convention or assembly selected as a sign to distinguish the ticket of the party, the emblem shown in the following representation.....

(3) That said convention or assembly appointed the following committee to represent the party for the purposes specified in articles 101 and 102 of the Electoral Law :

Name..... Chairman. Residence.....

Name..... Residence.....

Name..... Residence.....,

.....
Presiding Officer of Convention.

Residence.....

.....
Secretary of Convention

Residence.....

Signature of Presiding Officer and Secretary witnessed by:

.....
(Signature of official administering the oath).

Municipality of.....

Province of.....

We, the undersigned, being first duly sworn (or affirmed), on oath (or affirmation) severally depose and say: that the said.....was the presiding officer of the convention or assembly of delegates referred to in the foregoing certificate of nomination; that the said.....was the secretary of such convention; and that the aforesaid certificate, consisting of.....pages numbered consecutively from 1 to....., and the statements therein contained are true.

.....
Signature of Presiding Officer
of Convention.

.....
Signature of Secretary
of Convention.

Subscribed in my presence and sworn to (or affirmed) before me by the said.....and the said....., in the municipality of....., province of..... this..... day of..... 190....

.....
administering the oath.
Signature and title of official

.....
(Seal of official administering
the oath).

* (When the certificate requires more than one sheet, the several sheets will be securely bound together. Each page will be authenticated by the signature of the presiding officer and of the secretary of the convention, witnessed by the signature of the official administering the oath).

(Form No. 10; art. 97).

INDEPENDENT CERTIFICATE OF NOMINATION.**Municipal Elections.****TO THE MUNICIPAL ELECTORAL BOARD,****Municipality of** _____

We, the undersigned, each of whom declares himself to be a duly registered elector of the municipality of _____ province of _____, hereby propose the following nominations for offices to be filled in the municipality of _____, at the municipal election to be held on _____ 190__ :

For Municipal Mayor, for Full Term ending

_____ 190__ (_____),

Name _____ Residence _____

For Municipal Councilmen, for Full Term ending

_____ 190__ (_____),

Name _____ Residence _____

* * * * *

Name _____ Residence _____

For Municipal Councilmen, for Short Term ending

_____ 190__ (_____),

Name _____ Residence _____

* * * * *

Name _____ Residence _____

We hereby select, for the purpose of distinguishing the ticket to be composed of the candidates above

* Affiant's signature witnessed by:

Signature of Affiant._____
Signature of official administering
the oath.

proposed, (1) the following name,.....;
and (2) the emblem shown in the following represent-
ation.....

And we appoint the following committee to re-
present the signers of this certificate for the purpose
specified in articles 101 and 102 of the Electoral
Law:

Name..... Chairman. Residence.....

Name..... Residence.....

Name..... Residence.....

Signature of each nom-
inator, or his name and
mark when he cannot
write.

Signature of the elector
who writes the name and
witnesses the mark of an
illiterate nominator.

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Municipality of.....

Province of.....

I, the undersigned, being first duly sworn (or
affirmed) on oath (or affirmation) depose and say:
that I am a registered elector of the municipality
of....., province of.....
.....; that I personally wit-
nessed the affixing of each signature and each mark

* Affiant's signature witnessed by:

.....
Signature of Affiant.

.....
Signature of official administering
the oath.

appearing upon the foregoing certificate of nomination, consisting of..... pages numbered consecutively from 1 to.....; that each such signature and each such mark is the genuine signature or mark of the nominator it purports to represent; and that each one of the..... (.....) nominators whose signature or mark appears above is a registered elector of the barrio and municipality above specified.

.....
Signature of Affiant.

Subscribed in my presence and sworn to (or affirmed) before me by the said....., in the municipality of....., province of..... this day of..... 190.....

.....
Signature and title of official
administering the oath.

(Seal of official administering
the oath.)

* (When the certificate requires more than one sheet, the several sheets will be securely bound together. Each page will be authenticated by the signature of the affiant, witnessed by the signature of the official administering the oath.)

(Form No. 11; art. 165).

CLOSING ENTRY ON POLL BOOK.

We hereby certify that this poll book, on pages numbered consecutively from 1 to....., bears the names of all persons to whom official ballots were delivered; that the total number of persons who actually cast their ballots in this college is..... (.....); that the total number of persons who for any reason did not vote after having their names recorded on this book is..... (.....); and that all entries required by law to be made on the poll book have been made in legal form.

.....
• Member College Electoral Board.

.....
Member College Electoral Board.

.....
Member College Electoral Board.

.....
Member College Electoral Board.

.....
Employee College Electoral Board.

.....
President College Electoral Board.

(Form No. 12; art. 194).

CERTIFICATE OF ELECTION.**Provincial Office.**

Province of

General Election.

.....190....

This is to certify that at a general election held
 in the..... province of.....,
 who re-
 ceived..... (.....) votes,
 being a plurality..... (.....) votes,
 was duly elected..... for the term
 ending..... 190....

Done at....., this.....
 day of..... 190....

.....
Member Provincial Electoral Board......
Member Provincial Electoral Board......
Member Provincial Electoral Board......
Member Provincial Electoral Board......
Secretary Provincial Electoral Board......
President Provincial Electoral Board.

(Form No. 13; art. 194).

CERTIFICATE OF ELECTION

Municipal Office.

Municipality of **Province of**

.....190.....

Municipal Election.

This is to certify that at a municipal election held in the municipality of....., province of....., who received..... (.....) votes, being a plurality of..... (.....) votes, was duly elected municipal..... for the term ending..... 190.....

Done at....., this..... day of..... 190.....

.....
Member Municipal Electoral Board.

.....
Member Municipal Electoral Board.

.....
Secretary Municipal Electoral Board.

.....
President Municipal Electoral Board.

(Form No. 14; art. 181).

PROPORTIONAL REPRESENTATION.

We will suppose that the census now being made shows Habana province to have a population of 550,000. Under the Constitution (Art. 48), this would entitle the province to 22 representatives. Eleven are to be elected for a term of two years and eleven for a term of four years. There are four parties in the field, and each nominates eleven candidates for each term. The results of the canvass is as follows:

FOR LONG TERM. (4 years).

CANDIDATE	Party "A"	Party "B"	Party "C"	Party "D"
No. 1	55,098	24,327	31,399	10,999
2	57,025	26,180	26,869	9,869
3	61,399	27,133	31,265	9,950
4	62,061	22,160	26,079	8,769
5	53,590	21,599	22,645	11,452
6	58,001	26,688	26,603	9,999
7	64,003	24,345	22,888	8,652
8	63,014	25,911	23,667	9,161
9	63,017	23,206	26,349	12,299
10	61,011	22,199	22,301	12,345
11	62,114	23,853	21,604	7,902
Totals. . .	660,333	267,601	280,669	111,397

Total vote for all candidates: 1,320,000.

Dividing the total of votes cast for all candidates (1,320,000) by the number of seats to be filled (11), the quotient (120,000) is the *quota of representation* (v. art. 181, sec. 1, of the law).

Each party, then, is entitled to one seat for each 120,000 collective votes (same section of the law). Dividing this *quota of representation* into the total collective vote of the several parties, the result is that they are entitled to seats for *full quotas* as follows:

Party "A".	5
Party "B".	2
Party "C".	2

Seats thus filled, 9

The total vote of Party "D" is less than the quota, and that party is consequently entitled to no seat, although its vote exceeds the remainder of any of the other parties (v. art. 181, sec. 2).

The two seats thus remaining unfilled are allotted to the parties having the largest and next largest remainders after division. The respective remainders are:

Party "A".	60,333
Party "B".	27,607
Party "C".	40,669

The party having the largest remainder is "A", and the next largest "C", and consequently each is entitled to one of the two remaining seats. The final result, then, as to the number of seats to which each party is entitled, is:

Party "A".	6
Party "B".	2
Party "C".	3
Party "D".	0

Total. 11

The candidates elected, determined by the relative vote within the several parties, are:

PARTY "A"		PARTY "B"		PARTY "C"	
Candidate	Vote	Candidate	Vote	Candidate	Vote
No. 7	64,003	No. 3	27,133	No. 1	31,399
9	63,017	6	26,688	3	31,265
8	63,014			2	26,869
11	62,114				
4	62,061				
3	61,399				

FOR SHORT TERM (2 years).

The foregoing figures for the long term might be used to illustrate the short term, as it is quite prob-

able that the relative vote of the four parties will be the same in respect of one term as the other. However it is to be noted that Party "D" fell short but 8,603 votes of receiving a *full quota*. We will suppose, however, that the candidates of Party "D" for the short term were a little stronger than their fellows for the long term, or that (which amounts to the same thing) the short term candidates of the other parties were somewhat weaker than their fellows for the long term. On this hypothesis we will give Party "D" a little above the *quota* for short term candidates, reducing the others accordingly. In this way we will arrive at the final result—the actual composition of the Congress for the first two years.

The total will be somewhat different, on account of the fact that a considerable number of so-called independent voters will, in splitting their tickets, vote for but 6, 7, 8 or 9 candidates, instead of the full number of 11, as the "party" voter must of necessity do.

CANDIDATE		Party "A"	Party "B"	Party "C"	Party "D"
No.	1	54,098	24,901	18,999	10,887
	2	58,199	27,192	24,332	9,862
	3	61,401	26,130	25,138	11,999
	4	62,193	21,590	22,641	8,706
	5	53,595	25,577	24,199	9,101
	6	58,123	24,189	25,601	10,601
	7	64,004	23,806	24,999	8,706
	8	63,113	25,911	26,607	11,162
	9	63,018	23,609	24,102	12,191
	10	61,015	24,187	21,789	13,162
	11	66,840	14,509	20,585	15,421
Totals. . .		664,599	261,601	258,992	121,798

Total vote for all candidates: 1,306,990.

Dividing the total of votes cast for all candidates (1,306,990) by the number of seats to be filled (11), the quotient (118,817, fraction disregarded) is the *quota of representation*.

Dividing this *quota of representation* into the total vote of the several parties, they are entitled to seats for *full quotas* and have remainders as follows:

	Seats	Remainders
Party "A"	5	69,914
Party "B" 4	2	23,967
Party "C"	2	21,358
Party "D"	1	2,981

Seats thus filled, . . . 10

The seat thus remaining unfilled is allotted to the party having the largest remainder, viz. Party "A" (69,914).

The net result, in respect of the short term seats, is:

Party "A"	6	seats.
Party "B"	2	"
Party "C"	2	"
Party "D"	1	"
	11	"

And the following candidates are elected:

PARTY "A"		PARTY "B"		PARTY "C"		PARTY "D"	
Cndte.	Vote	Cndte.	Vote	Cndte.	Vote	Cndte.	Vote
No. 1	66,840	No. 2	27,192	No. 8	26,607	No. 1	15,421
7	64,004	3	26,130	6	25,601		
8	63,111						
9	63,018						
4	62,193						
6	61,401						

During the first two years of the Congress, the relative strength of the several parties is as follows:

Party "A"	12	seats.
Party "B"	4	"
Party "C"	5	"
Party "D"	1	"
	22	"

(Form No. 15; art. 182).

PROPORTIONAL REPRESENTATION

Twenty-five councilmen are to be elected in the city of Havana. There are four parties, each of which has 25 candidates in the field. The canvass shows the following result:

CANDIDATE		Party "A"	Party "B"	Party "C"	Party "D"
No.					
	1	33,730	15,421	10,532	3,983
	2	33,578	15,501	10,498	2,981
	3	33,781	15,721	10,387	2,880
	4	33,882	15,268	10,342	2,648
	5	33,729	15,424	12,131	2,581
	6	31,866	15,993	12,098	2,983
	7	32,368	15,283	13,000	2,880
	8	32,368	15,151	12,098	2,883
	9	31,928	15,041	12,498	2,898
	10	31,842	15,321	13,131	2,844
	11	32,397	15,721	10,085	2,839
	12	32,578	15,321	9,962	1,846
	13	31,692	15,151	9,800	2,851
	14	32,768	15,402	9,268	2,880
	15	32,383	15,312	9,878	2,429
	16	32,376	14,629	9,776	1,673
	17	31,639	14,150	9,665	1,671
	18	32,682	14,493	9,598	1,540
	19	31,878	13,968	9,886	1,571
	20	31,983	14,067	9,988	1,581
	21	31,468	13,871	8,068	1,624
	22	31,475	14,052	7,857	1,631
	23	31,966	14,271	7,788	1,641
	24	32,868	14,380	7,802	1,678
	25	32,828	14,402	7,408	1,543
Party Totals. .		812,053	373,344	253,544	58,559

Number of votes cast for all candidates: 1,497,500.

Dividing the total of the votes cast for all candidates (1,497,500) by the number of seats to be filled (25), the quotient (59,900) is the *quota of representation* (v. art. 181, sec. 1, of the law).

Each party, then, is entitled to one seat for each 59,900 collective votes (same section of the law). Dividing this *quota of representation* into the total or collective vote of the several parties, the result is that they are entitled to seats for *full quotas* as follows:

Party "A"	13
Party "B". . . .	6
Party "C". . . .	4
	<hr/>

Seats thus filled. . . 23

The total vote of Party "D" is less than the *quota*, and that party is entitled to no seat, although its vote exceeds the remainder of any of the other parties. (v. art. 181, sec. 2).

The two seats thus remaining unfilled are allotted to the parties having the largest and next largest remainder after division. The respective remainders are:

Party "A". . . .	33,353
Party "B". . . .	13,944
Party "C". . . .	13,944

The party having the largest remainder is "A", and is thus entitled to one of the two unfilled seats. Parties "B" and "C" are tied, and the tie must be decided by lot. We will suppose that "C" wins in the drawing. The final result, then, is:

Party "A". . . .	14 seats.
Party "B". . . .	6 ib.
Party "C". . . .	5 ib.

The candidates elected, determined by the relative vote within the several parties, are:

PARTY "A"		PARTY "B"		PARTY "C"	
Candidate	Vote	Candidate	Vote	Candidate	Vote
No. 4	33,882	No. 6	15,993	No. 10	13,131
3	33,781	3	15,721	7	13,000
1	33,730	11	15,721	9	12,493
5	33,729	2	15,501	5	12,131
2	33,578	5	15,424	6	12,098(b)
24	32,868	1	15,421		
25	32,828				
14	32,768				
18	32,682				
12	32,578				
11	32,597				
15	32,383				
16	32,376				
7	32,368(a)				

NOTE:—(a) Candidates 7 and 8 of Party "A" have each 32,368 votes. The seat is given No. 7 because his name appears on the ticket ahead of that of No. 8.

(b) A similar tie occurs between candidates 6 and 8 of Party "C", and the tie is similarly decided.

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